From: Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]

**Sent**: 9/12/2019 1:07:11 PM

To: Beach, Christopher [beach.christopher@epa.gov]; Schiermeyer, Corry [schiermeyer.corry@epa.gov]; McFaul, Jessica

[mcfaul.jessica@epa.gov]

CC: Abboud, Michael [abboud.michael@epa.gov]; Woods, Andrea [Woods.Andrea@epa.gov]

Subject: RE: CASAC desk statement

Attachments: SAB CASAC Announcement Doc MB.docx

See attached.

From: Block, Molly

Sent: Thursday, September 12, 2019 8:47 AM

To: Beach, Christopher <beach.christopher@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>; McFaul,

Jessica <mcfaul.jessica@epa.gov>

Cc: Abboud, Michael <abboud.michael@epa.gov>; Woods, Andrea <Woods.Andrea@epa.gov>

Subject: RE: CASAC desk statement

I can format the press release too. Will send around in a few

From: Beach, Christopher

Sent: Thursday, September 12, 2019 8:45 AM

To: Schiermeyer, Corry < <a href="mailto:schiermeyer.corry@epa.gov">schiermeyer.corry@epa.gov</a>; Block, Molly < <a href="mailto:block.molly@epa.gov">block.molly@epa.gov</a>; McFaul, Jessica

<mcfaul.jessica@epa.gov>

Cc: Abboud, Michael <abboud.michael@epa.gov>; Woods, Andrea <Woods.Andrea@epa.gov>

Subject: RE: CASAC desk statement

Sure will do

From: Schiermeyer, Corry <schiermeyer.corry@epa.gov>

Sent: Thursday, September 12, 2019 8:19 AM

To: Block, Molly < block.molly@epa.gov>; McFaul, Jessica < mcfaul.jessica@epa.gov>

Cc: Abboud, Michael <abboud.michael@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Woods, Andrea

<Woods.Andrea@epa.gov>

Subject: RE: CASAC desk statement

Let's get the press release portion formatted...and Chris...could you add a quote?

Thank you!

From: Fitzmorris, Amanda <fitzmorris.amanda@epa.gov>

**Sent:** Wednesday, September 11, 2019 12:40 PM **To:** Schiermeyer, Corry < <a href="mailto:schiermeyer.corry@epa.gov">schiermeyer.corry@epa.gov</a>

Cc: Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>

Subject: RE: CASAC desk statement

Attached is drafted press materials for discussion.

Thanks,

From: Schiermeyer, Corry <schiermeyer.corry@epa.gov>

**Sent:** Wednesday, September 11, 2019 12:01 PM **To:** Fitzmorris, Amanda <a href="mailto:sitzmorris.amanda@epa.gov">sitzmorris.amanda@epa.gov</a>

Cc: Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>

**Subject:** Re: CASAC desk statement

I'm tied up until about 1230

Sent from my iPhone

On Sep 11, 2019, at 11:44 AM, Fitzmorris, Amanda <fitzmorris.amanda@epa.gov> wrote:

Can we chat about the rollout for this real quick?

## **Amanda Fitzmorris**

Special Advisor
Office of Research and Development
O: 202-564-5744
Fitzmorris.Amanda@epa.gov

From: Brennan, Thomas <<u>Brennan.Thomas@epa.gov</u>>
Sent: Wednesday, September 11, 2019 9:17 AM
To: Fitzmorris, Amanda <fitzmorris.amanda@epa.gov>

Subject: RE: CASAC desk statement

# Ex. 5 Deliberative Process (DP)

From: Fitzmorris, Amanda <fitzmorris.amanda@epa.gov>

**Sent:** Wednesday, September 11, 2019 8:58 AM **To:** Brennan, Thomas <a href="mailto:Srennan.Thomas@epa.gov">Srennan.Thomas@epa.gov</a>>

Subject: RE: CASAC desk statement

May have further edits on this. Where are we at with the letters?

Thanks,

Fitz

From: Brennan, Thomas < <a href="mailto:Brennan.Thomas@epa.gov">Bent: Wednesday, September 11, 2019 8:34 AM</a>
To: Fitzmorris, Amanda <a href="mailto:fitzmorris.amanda@epa.gov">fitzmorris.amanda@epa.gov</a>

Subject: RE: CASAC desk statement

Thanks Fitz,

Looks good. I forwarded to OPA for their consideration. I also asked them to release this week.

l deleted item #3्	Ex. 5 Deliberative Process (DP)
tell you yesterday I sent to you ar	nd David Ex. 5 Deliberative Process (DP) Ex. 5 Deliberative Process (DP)
	Ex. 5 Deliberative Process (DP)
Also we are currently planing	Ex. 5 Deliberative Process (DP)
Ex. 5 Delik	perative Process (DP)
So please keep this a close hold (r FRN are appreciated.	no public) and this is the likely schedule. Also comments on the PM
Tom	

Thanks,

Fitz

**From:** Brennan, Thomas < <u>Brennan.Thomas@epa.gov</u>>

Sent: Tuesday, September 10, 2019 3:07 PM

**To:** Fitzmorris, Amanda < fitzmorris.amanda@epa.gov>

**Subject:** RE: CASAC desk statement

This is the draft version I sent to OPA.

# Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

Tom Brennan Acting Director, Science Advisory Board Staff Office US Environmental Protection Agency

Desk # 202 564 6953 Mobile Ex. 6 Personal Privacy (PP)

From: Fitzmorris, Amanda <fitzmorris.amanda@epa.gov>

Sent: Tuesday, September 10, 2019 2:32 PM

To: Brennan, Thomas < Brennan. Thomas@epa.gov >

Subject: RE: CASAC desk statement

Can you fwd to David and I as well?

Thanks,

Fitz

From: Brennan, Thomas < Brennan. Thomas@epa.gov>

Sent: Tuesday, September 10, 2019 2:31 PM

To: Fitzmorris, Amanda < fitzmorris.amanda@epa.gov >

Subject: Re: CASAC desk statement

Sent a draft over to OPA yesterday. I know they were working on it today.

Sent from my iPhone

On Sep 10, 2019, at 2:05 PM, Fitzmorris, Amanda <fitzmorris.amanda@epa.gov> wrote:

Where are we at with developing all the materials for this? Presser, desk statement, letters, etc.

Thanks!

Fitz

# **Amanda Fitzmorris**

Office of Research and Development

O: 202-564-5744

Fitzmorris.Amanda@epa.gov

From: Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]

**Sent**: 5/21/2018 8:05:13 PM

To: Daniell, Kelsi [daniell.kelsi@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]

Subject: RE: FOR OPA REVIEW AND APPROVAL: American Cyanamid Superfund Site News Release

Attachments: Am Cy Superfund Site Proposed Plan Release KD MB edits.docx

And my edits attached.

From: Daniell, Kelsi

Sent: Monday, May 21, 2018 3:55 PM

**To:** Block, Molly <block.molly@epa.gov>; Beach, Christopher <beach.christopher@epa.gov><br/> **Subject:** RE: FOR OPA REVIEW AND APPROVAL: American Cyanamid Superfund Site News Release

Updated. Use this one to edit, Chris.

From: Block, Molly

**Sent:** Monday, May 21, 2018 3:46 PM

**To:** Beach, Christopher <beach.christopher@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov> **Subject:** FW: FOR OPA REVIEW AND APPROVAL: American Cyanamid Superfund Site News Release

Importance: High

With the attachements

From: regionalpress

Sent: Monday, May 21, 2018 3:42 PM

**To:** Konkus, John <konkus.john@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: FW: FOR OPA REVIEW AND APPROVAL: American Cyanamid Superfund Site News Release

Importance: High

From: Kluesner, Dave

**Sent:** Monday, May 21, 2018 7:41:51 PM (UTC+00:00) Monrovia, Reykjavik

To: regionalpress

Cc: Mears, Mary; Rodriguez, Elias

Subject: FOR OPA REVIEW AND APPROVAL: American Cyanamid Superfund Site News Release

[PETE APPROVED]

# Ex. 5 Deliberative Process (DP)

NOTE: Proposed Administrator quote.

Also attached is the Comms Strategy.

Please let me know if you have any questions. thanks

# David W. Kluesner













U.S. Environmental Protection Agency, Region 2
Deputy Director, Public Affairs
290 Broadway, 26<sup>th</sup> Floor
New York, NY 10007
212.637.3653 (Office)

[EX. 8 Personal Privacy (PP)] (Cell)

To: Beach, Christopher[beach.christopher@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]
From: Block, Molly[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]

**Sent:** Mon 5/21/2018 7:46:05 PM (UTC)

Subject: FW: FOR OPA REVIEW AND APPROVAL: American Cyanamid Superfund Site News Release

Am Cy Superfund Site Proposed Plan News Release May 21 230 FOR OPA REVIEW.docx

Comms Strategy Am Cy PRAP .docx

With the attachements

From: regionalpress

Sent: Monday, May 21, 2018 3:42 PM

**To:** Konkus, John <konkus.john@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: FW: FOR OPA REVIEW AND APPROVAL: American Cyanamid Superfund Site News Release

Importance: High

From: Kluesner, Dave

Sent: Monday, May 21, 2018 7:41:51 PM (UTC+00:00) Monrovia, Reykjavik

To: regionalpress

Cc: Mears, Mary; Rodriguez, Elias

Subject: FOR OPA REVIEW AND APPROVAL: American Cyanamid Superfund Site News Release

[PETE APPROVED]

# Ex. 5 Deliberative Process (DP)

## NOTE: Proposed Administrator quote.

Also attached is the Comms Strategy.

Please let me know if you have any questions. thanks

David W. Kluesner













U.S. Environmental Protection Agency, Region 2
Deputy Director, Public Affairs
290 Broadway, 26<sup>th</sup> Floor
New York, NY 10007
212.637.3653 (Office)

EX. 6 Personal Privacy (PP) Cell)

From: Lyons, Troy [lyons.troy@epa.gov]

**Sent**: 3/27/2018 4:09:04 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]

**Subject**: wheeler nom strategy

Attachments: Andrew Wheeler Strategy.docx

Importance: High

For your input

Troy M. Lyons

Associate Administrator
Office of Congressional & Intergovernmental Relations

U.S. Environmental Protection Agency

Ex. 6 Personal Privacy (PP)

From: Lyons, Troy [lyons.troy@epa.gov]

**Sent**: 3/27/2018 4:08:28 PM

To: Jackson, Ryan [jackson.ryan@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]

**Subject**: Wheeler Nom Strategy

Liz and I are drafting a hill/press strategy for the next couple of weeks in regards to Andrew. Will send it to you shortly. Should cover all of our bases.

# Troy M. Lyons

Associate Administrator
Office of Congressional & Intergovernmental Relations
U.S. Environmental Protection Agency

Ex. 6 Personal Privacy (PP) (Cell)

To: Bowman, Liz[Bowman.Liz@epa.gov]

From: Dennis, Brady[Brady.Dennis@washpost.com]

**Sent:** Fri 1/26/2018 5:22:16 PM (UTC) **Subject:** RE: EMBARGOED DRAFT

It's fine, no big deal

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]

Sent: Friday, January 26, 2018 12:22 PM

**To:** Dennis, Brady <Brady.Dennis@washpost.com> **Cc:** Eilperin, Juliet <Juliet.Eilperin@washpost.com>

Subject: RE: EMBARGOED DRAFT

I know, I am really sorry

From: Dennis, Brady [mailto:Brady.Dennis@washpost.com]

**Sent:** Friday, January 26, 2018 12:20 PM **To:** Bowman, Liz <<u>Bowman.Liz@epa.gov</u>>

Cc: Eilperin, Juliet < Juliet. Eilperin@washpost.com >

Subject: RE: EMBARGOED DRAFT

Got it. If you could just give us a heads up one way or another when you know, so we can avoid another last-minute change like last night, that'd be helpful.

Thanks again...

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]

Sent: Friday, January 26, 2018 12:18 PM

**To:** Dennis, Brady <<u>Brady.Dennis@washpost.com</u>> **Cc:** Eilperin, Juliet <<u>Juliet.Eilperin@washpost.com</u>>

Subject: Re: EMBARGOED DRAFT

Hoping for it, but this draft is changing, so I will need to walk you through any edits and provide you w an updated draft

Sent from my iPhone

On Jan 26, 2018, at 12:16 PM, Dennis, Brady <a href="mailto:Brady.Dennis@washpost.com">Brady.Dennis@washpost.com</a> wrote:

Hey Liz. Checking on whether we should expect the Bristol Bay development out today? For planning...

Thanks.

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]

Sent: Thursday, January 25, 2018 7:02 PM

**To:** Eilperin, Juliet < <u>Juliet.Eilperin@washpost.com</u>> **Cc:** Dennis, Brady < <u>Brady.Dennis@washpost.com</u>>

Subject: RE: EMBARGOED DRAFT

No, not now, sorry.

From: Eilperin, Juliet [mailto:Juliet.Eilperin@washpost.com]

**Sent:** Thursday, January 25, 2018 6:25 PM **To:** Bowman, Liz < <u>Bowman.Liz@epa.gov</u>>

Cc: Dennis, Brady < Brady. Dennis@washpost.com >

Subject: RE: EMBARGOED DRAFT

We can try. So it isn't coming out today? Thanks.

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]

Seife v. EPA (1:19-cv-05190)

9.1.2020

ED\_003047\_00005536-00001

Sent: Thursday, January 25, 2018 6:21 PM

**To:** Eilperin, Juliet < <u>Juliet.Eilperin@washpost.com</u>> **Cc:** Dennis, Brady < <u>Brady.Dennis@washpost.com</u>>

Subject: Re: EMBARGOED DRAFT

Yes I'm sorry, can you pull it?

Sent from my iPhone

On Jan 25, 2018, at 6:13 PM, Eilperin, Juliet < Juliet. Eilperin@washpost.com > wrote:

Ok. The only issue is we've budgeted this for the print edition, so if we need to pull it, it would be great to know ASAP. Thanks.

On Jan 25, 2018, at 6:05 PM, Bowman, Liz < Bowman.Liz@epa.gov > wrote:

Oh sorry, this release is actually fluid/we are editing it. Not sure on timing, will let you know ASAP.

Sent from my iPhone

On Jan 25, 2018, at 6:01 PM, Dennis, Brady < <a href="mailto:Brady.Dennis@washpost.com">Brady.Dennis@washpost.com</a> wrote:

Just checking — still 7:30 pm embargo on Bristol? We were planning a short story. Thanks.

-----

Brady Dennis
The Washington Post
202-334-7745
brady.dennis@washpost.com
@brady\_dennis

On Jan 25, 2018, at 11:51 AM, Bowman, Liz < Bowman. Liz@epa.gov > wrote:

Sorry for the change here – but we are changing the embargo to 730 p.m. due to timing with the Region and Alaska – we are also trying to make a big announcement on air issues this afternoon. I am working on that now, but that's something that I really think Brady/you would be interested in...we can walk you through that today, actually around 2 p.m. with Bill Wehrum, if you are interested...

On the fishing...yes, he fished in Bristol Bay and I think he said he caught at 31" rainbow trout

From: Bowman, Liz

**Sent:** Wednesday, January 24, 2018 8:56 PM **To:** Eilperin, Juliet < <u>Juliet.Eilperin@washpost.com</u>> **Cc:** Dennis, Brady < <u>Brady.Dennis@washpost.com</u>>

Subject: Re: EMBARGOED DRAFT

We think so but need to confirm w him tomorrow am

Sent from my iPhone
On Jan 24, 2018, at 8:42 PM, Eilperin, Juliet
<<u>Juliet.Eilperin@washpost.com</u>> wrote:

Thanks Liz. Brady and I will confer later tonight

how to work on this, and will obviously not post anything until we get a specific embargo time from you.

And if there's a way to get an answer tomorrow am to that question I asked you, about the Administrator having gone to Bristol Bay in the past, that would be great. Thanks.

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Wednesday, January 24, 2018 8:37 PM

To: Eilperin, Juliet

< <u>Juliet.Eilperin@washpost.com</u>>; Dennis, Brady

<<u>Brady.Dennis@washpost.com</u>> **Subject:** EMBARGOED DRAFT

DRAFT – EMBARGOED FOR 3 pm JANUARY 25, 2018 – DRAFT

# EPA Administrator Pruitt Upholds Due Process and the Rule of Law

EPA decides not to withdraw proposed Clean Water Act restrictions for Pebble Mine in Alaska's Bristol Bay watershed

WASHINGTON – After receiving more than one million comments from the public and consulting with tribal governments and other stakeholders, the U.S. Environmental Protection Agency (EPA) has decided not to withdraw the July 2014 Clean Water Act Proposed Determination for the development of a copper and gold mine at the Pebble deposit in Alaska's Bristol Bay watershed.

"Today's decision first and foremost upholds the rule of law and due process," said EPA Administrator Scott Pruitt. "It gives all parties additional time to determine how best to move forward on the Pebble Mine after extensive environmental analysis, as required under the regular permitting process."

Today's decision means that the permit review process for Pebble Limited Partnership (PLP) will continue, while EPA continues to work with federal, state, and tribal partners.

In December 2017, the PLP submitted a Clean Water Act Section 404 permit application to the U.S. Army Corps of Engineers (Army Corps) to develop a mine at the Pebble deposit. EPA stands ready to work closely with PLP, the Army Corps and other stakeholders on the review of this permit application, including the Army Corps development of a robust Environmental Impact Statement (EIS) for the proposed mine that will ensure the worldclass fisheries in the Bristol Bay region are protected.

EPA will not move forward with any action toward finalizing the Proposed Determination until after May 11, 2021, or the Army Corps releases a final EIS for the mine project, whichever comes first. This is in line with commitments EPA made in a May 2017 settlement agreement resolving outstanding lawsuits between PLP and EPA. If after May 11, 2021 or after a final EIS for the Pebble Mine is released, the Agency decides to finalize its Proposed Determination, it could impose restrictions on the discharge of dredged or fill material associated with development of the Pebble Mine in Alaska's Bristol Bay watershed.

Throughout the course of this process, EPA has consulted with federally recognized tribal governments of the Bristol Bay region and Alaska Native Corporations with lands in the Bristol Bay watershed. The public comment period and tribal

consultation process also allowed EPA to hear directly from the public. EPA will continue working with these groups as this process moves forward.

# Background

In 2014, EPA's Region 10 completed an assessment of the Bristol Bay watershed and issued a Clean Water Act Section 404(c) Proposed Determination to restrict discharges of dredge or fill material into the watershed from mining the Pebble deposit. Section 404 is the part of the Clean Water Act that governs the permit evaluation process for actions that discharge dredged or fill material into waters of the United States. This action was controversial because EPA has almost never exercised this authority before a permit application was filed with the Corps, and many felt it effectively blocked PLP from applying.

EPA agreed to initiate a process to propose to withdraw the Proposed Determination as part of a May 11, 2017 settlement agreement with PLP, whose subsidiaries own the mineral claims to the Pebble deposit. The agreement provides Pebble additional time to apply for a Clean Water Act 404 permit from the U.S. Army Corps of Engineers before EPA moves any further with its Clean Water Act Section 404(c) review. PLP has now filed its application with the Corps, and the Corps will review that application, with EPA's continuing advice.

Additional information: www.epa.gov/bristolbay [epa.gov]

From: Dennis, Brady [Brady.Dennis@washpost.com]

**Sent**: 1/25/2018 5:00:58 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]; Eilperin, Juliet [Juliet.Eilperin@washpost.com]

Subject: RE: EMBARGOED DRAFT

Thanks for the heads up, Liz.

Especially given the late time, if we plan to write anything about the decision, we will need to share the outlines of the announcements with a few folks in order to get comment (on background, of course).

Anything more you can say on the 2 p.m. thing, just for planning purposes?

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]

Sent: Thursday, January 25, 2018 11:52 AM

**To:** Eilperin, Juliet <Juliet.Eilperin@washpost.com> **Cc:** Dennis, Brady <Brady.Dennis@washpost.com>

Subject: RE: EMBARGOED DRAFT

Sorry for the change here – but we are changing the embargo to 730 p.m. due to timing with the Region and Alaska – we are also trying to make a big announcement on air issues this afternoon. I am working on that now, but that's something that I really think Brady/you would be interested in...we can walk you through that today, actually around 2 p.m. with Bill Wehrum, if you are interested...

On the fishing...yes, he fished in Bristol Bay and I think he said he caught at 31" rainbow trout

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Sent: Wednesday, January 24, 2018 8:56 PM

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Subject: Re: EMBARGOED DRAFT

We think so but need to confirm w him tomorrow am

Sent from my iPhone

On Jan 24, 2018, at 8:42 PM, Eilperin, Juliet < Juliet. Eilperin@washpost.com > wrote:

Thanks Liz. Brady and I will confer later tonight how to work on this, and will obviously not post anything until we get a specific embargo time from you.

And if there's a way to get an answer tomorrow am to that question I asked you, about the Administrator having gone to Bristol Bay in the past, that would be great. Thanks.

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Sent: Wednesday, January 24, 2018 8:37 PM

To: Eilperin, Juliet < Juliet. Eilperin@washpost.com>; Dennis, Brady < Brady. Dennis@washpost.com>

Subject: EMBARGOED DRAFT

DRAFT - EMBARGOED FOR 3 pm JANUARY 25, 2018 - DRAFT

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"Today's decision first and foremost upholds the rule of law and due process," said EPA Administrator Scott Pruitt. "It gives all parties additional time to determine how best to move forward on the Pebble Mine after extensive environmental analysis, as required under the regular permitting process."

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In December 2017, the PLP submitted a Clean Water Act Section 404 permit application to the U.S. Army Corps of Engineers (Army Corps) to develop a mine at the Pebble deposit. EPA stands ready to work closely with PLP, the Army Corps and other stakeholders on the review of this permit application, including the Army Corps development of a robust Environmental Impact Statement (EIS) for the proposed mine that will ensure the world-class fisheries in the Bristol Bay region are protected.

EPA will not move forward with any action toward finalizing the Proposed Determination until after May 11, 2021, or the Army Corps releases a final EIS for the mine project, whichever comes first. This is in line with commitments EPA made in a May 2017 settlement agreement resolving outstanding lawsuits between PLP and EPA. If after May 11, 2021 or after a final EIS for the Pebble Mine is released, the Agency decides to finalize its Proposed Determination, it could impose restrictions on the discharge of dredged or fill material associated with development of the Pebble Mine in Alaska's Bristol Bay watershed.

Throughout the course of this process, EPA has consulted with federally recognized tribal governments of the Bristol Bay region and Alaska Native Corporations with lands in the Bristol Bay watershed. The public comment period and tribal consultation process also allowed EPA to hear directly from the public. EPA will continue working with these groups as this process moves forward.

## Background

In 2014, EPA's Region 10 completed an assessment of the Bristol Bay watershed and issued a Clean Water Act Section 404(c) Proposed Determination to restrict discharges of dredge or fill material into the watershed from mining the Pebble deposit. Section 404 is the part of the Clean Water Act that governs the permit evaluation process for actions that discharge dredged or fill material into waters of the United States. This action was controversial because EPA has almost never exercised this authority before a permit application was filed with the Corps, and many felt it effectively blocked PLP from applying.

EPA agreed to initiate a process to propose to withdraw the Proposed Determination as part of a May 11, 2017 settlement agreement with PLP, whose subsidiaries own the mineral claims to the Pebble deposit. The agreement provides Pebble additional time to apply for a Clean Water Act 404 permit from the U.S. Army Corps of Engineers before EPA moves any further with its Clean Water Act Section 404(c) review. PLP has now filed its application with the Corps, and the Corps will review that application, with EPA's continuing advice.

Additional information: www.epa.gov/bristolbay [epa.gov]

From: Jackson, Ryan [jackson.ryan@epa.gov]

**Sent**: 4/5/2018 11:02:15 PM

To: Lyons, Troy [lyons.troy@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Gunasekara, Mandy

[Gunasekara.Mandy@epa.gov]; Beck, Nancy [Beck.Nancy@epa.gov]; Brown, Byron [brown.byron@epa.gov]; Baptist,

Erik [Baptist.Erik@epa.gov]; Yamada, Richard (Yujiro) [yamada.richard@epa.gov]; Kelly, Albert

[kelly.albert@epa.gov]; Traylor, Patrick [traylor.patrick@epa.gov]; Greaves, Holly [greaves.holly@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]; Forsgren, Lee [Forsgren.Lee@epa.gov]; Greenwalt, Sarah [greenwalt.sarah@epa.gov];

Bolen, Brittany [bolen.brittany@epa.gov]; Gordon, Stephen [gordon.stephen@epa.gov]; Cook, Steven

[cook.steven@epa.gov]; Darwin, Veronica [darwin.veronica@epa.gov]; Chancellor, Erin [chancellor.erin@epa.gov];

Woods, Clint [woods.clint@epa.gov]; Darwin, Henry [darwin.henry@epa.gov]; Hanson, Paige (Catherine)

[hanson.catherine@epa.gov]; Ford, Hayley [ford.hayley@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Konkus,

John [konkus.john@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]

Subject: follow up from today's meeting

Attachments: 2018 2nd QTR Travel - Draft as 040518.docx

Please ensure the timing of the upcoming events are correct and begin working with OPA and OPEEE on planning.

Thanks.

Ryan Jackson Chief of Staff

U.S. Environmental Protection Agency

Ex. 6 Personal Privacy (PP)

From: Bennett, Tate [Bennett.Tate@epa.gov]

**Sent**: 4/2/2018 11:48:15 AM

To: Abboud, Michael [abboud.michael@epa.gov]

CC: Letendre, Daisy [letendre.daisy@epa.gov]; Gordon, Stephen [gordon.stephen@epa.gov]; Bowman, Liz

[Bowman.Liz@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Hewitt, James [hewitt.james@epa.gov]

**Subject**: Re: Protest at Ford today

Exactly what I'm trying to avoid!

On Apr 2, 2018, at 7:39 AM, Abboud, Michael <a href="mailto:abboud.michael@epa.gov">abboud.michael@epa.gov</a>> wrote:

Nice of Politico to invite people to the protest with the time and location.

Sent from my iPhone

On Apr 2, 2018, at 6:14 AM, Bennett, Tate < <u>Bennett.Tate@epa.gov</u>> wrote:

Let's remind folks to keep a close hold on tomorrow's location.

**TIME TO WAKE UP:** Using an installation of 300 alarm clocks, consumer and environmental groups will deliver a literal wake-up call to Ford today, ahead of EPA's announcement on vehicle emissions standards. The event is organized by the Forward Not Backward Coalition, including Public Citizen, Greenpeace USA and the Safe Climate Campaign. **If you go:** The event <u>begins at 12:15 p.m.</u> in front of Ford's government relations office at 801 Pennsylvania Ave NW.

From: Konkus, John [konkus.john@epa.gov]

**Sent**: 1/23/2018 8:20:07 PM

To: Daniell, Kelsi [daniell.kelsi@epa.gov]

CC: Bowman, Liz [Bowman.Liz@epa.gov]

Subject: FW: Missouri April 20 Briefing Materials

Attachments: Missouri Plan Outline DRAFT.docx

Kelsi: Attached is the communications plan I put together for what the Administrator said was one of the best events he had. Might be a good template/format for you to use if you don't have one already. Amy Graham used something similar as well.

From: Bennett, Tate

**Sent:** Tuesday, January 23, 2018 3:07 PM **To:** Konkus, John <konkus.john@epa.gov> **Cc:** Bowman, Liz <Bowman.Liz@epa.gov>

Subject: FW: Missouri April 20 Briefing Materials

BTW your formal was awesome for this. Might be worth sharing with Kelsi?

From: Konkus, John

Sent: Friday, April 14, 2017 4:15 PM

To: Lyons, Troy <lyons.troy@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>

Cc: Hupp, Sydney < hupp.sydney@epa.gov>; Bennett, Tate < Bennett.Tate@epa.gov>; Freire, JP < Freire.JP@epa.gov>;

Graham, Amy <graham.amy@epa.gov>

Subject: RE: Missouri April 20 Briefing Materials

Also Millan can you please take a look at the tick-toc on the attached document to make sure it's accurate? This is our OPA planning memo FYI. Thank you!

From: Robin Bravender [rbravender@eenews.net]

**Sent**: 12/18/2017 7:08:59 PM

**To**: Bowman, Liz [Bowman.Liz@epa.gov]

Subject: RE: Embargoed CPP ANPRM -- 2 p.m. Embargo

Thanks so much for the heads up! We'll update our story to link to the EPA page when the link goes live.

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Monday, December 18, 2017 1:49 PM
To: Robin Bravender <rbravender@eenews.net>

Subject: RE: Embargoed CPP ANPRM -- 2 p.m. Embargo

Sure

From: Robin Bravender [mailto:rbravender@eenews.net]

Sent: Monday, December 18, 2017 1:44 PM To: Bowman, Liz < Bowman, Liz@epa.gov>

Subject: RE: Embargoed CPP ANPRM -- 2 p.m. Embargo

Can we publish right at 2?

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Monday, December 18, 2017 1:16 PM
To: Robin Bravender <<u>rbravender@eenews.net</u>>
Subject: Embargoed CPP ANPRM -- 2 p.m. Embargo

FOR YOU ONLY -- EMBARGOED UNTIL 2 P.M.

Attached is a copy of the ANPRM. This link is where the fact sheet and prepublication version of the ANPRM will be posted at 2 pm, provided we have confirmation of signature: <a href="https://www.epa.gov/stationary-sources-air-pollution/electric-utility-generating-units-advance-notice-proposed">https://www.epa.gov/stationary-sources-air-pollution/electric-utility-generating-units-advance-notice-proposed</a>

# **EPA Announces Next Steps After Proposed Clean Power Plan Repeal**

WASHINGTON (December 18, 2017) – Today, the U.S. Environmental Protection Agency (EPA) issued an Advance Notice of Proposed Rulemaking (ANPRM) to announce that the Agency will solicit public input as it considers the next regulatory steps to limit greenhouse gas (GHG) emissions from existing electric utility generating units (EGUs), also known as power plants.

"Consistent with our commitment to the rule of law, we've already set in motion an assessment of the previous administration's questionable legal basis in our proposed repeal of the Clean Power Plan. With a clean slate, we can now move forward to provide regulatory certainty," **said EPA Administrator Scott Pruitt.** "Today's move ensures adequate and early opportunity for public comment from all stakeholders about next steps the Agency might take to limit

greenhouse gases from stationary sources, in a way that properly stays within the law, and the bounds of the authority provided to EPA by Congress."

The ANPRM is a separate, but related, action to the October 16, 2017 proposal to repeal the so-called "Clean Power Plan." In that proposal, EPA proposed to determine that the Obama-era regulation exceeds the Agency's statutory authority.

The ANPRM offers the public the opportunity to comment on specific topics for the Agency to consider in developing any subsequent proposed rule. EPA is specifically soliciting information on systems of emission reduction that are applicable to or at an EGU facility, information on compliance measures, and information on state-planning requirements under Clean Air Act section 111(d).

EPA will take comment on the ANPRM for 60 days after publication in the Federal Register. More information, including the ANPRM and fact sheet, is available at: <a href="https://www.epa.gov/stationary-sources-air-pollution/electric-utility-generating-units-advance-notice-proposed">https://www.epa.gov/stationary-sources-air-pollution/electric-utility-generating-units-advance-notice-proposed</a>

**From**: Robin Bravender [rbravender@eenews.net]

**Sent**: 12/18/2017 6:41:37 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]

Subject: RE: Embargoed CPP ANPRM -- 2 p.m. Embargo

#### Thank you!

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Monday, December 18, 2017 1:16 PM
To: Robin Bravender <rbravender@eenews.net>
Subject: Embargoed CPP ANPRM -- 2 p.m. Embargo

FOR YOU ONLY -- EMBARGOED UNTIL 2 P.M.

Attached is a copy of the ANPRM. This link is where the fact sheet and prepublication version of the ANPRM will be posted at 2 pm, provided we have confirmation of signature: <a href="https://www.epa.gov/stationary-sources-air-pollution/electric-utility-generating-units-advance-notice-proposed">https://www.epa.gov/stationary-sources-air-pollution/electric-utility-generating-units-advance-notice-proposed</a>

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valerie.volcovici@thomsonreuters.com [valerie.volcovici@thomsonreuters.com] From:

Sent: 12/18/2017 6:23:15 PM To: Bowman, Liz [Bowman.Liz@epa.gov] CC: Wilcox, Jahan [wilcox.jahan@epa.gov] RE: Embargoed CPP ANPRM -- 2 p.m. Embargo Subject:

# Thanks v much

----Original Message----

From: Bowman, Liz [Bowman.Liz@epa.gov] **Received:** Monday, 18 Dec 2017, 13:17

To: Volcovici, Valerie (Reuters) [valerie.volcovici@thomsonreuters.com]

CC: Wilcox, Jahan [wilcox.jahan@epa.gov]

Subject: Embargoed CPP ANPRM -- 2 p.m. Embargo

# EMBARGOED UNTIL 2 P.M.

Attached is a copy of the ANPRM. This link is where the fact sheet and prepublication version of the ANPRM will be posted at 2 pm, provided we have confirmation of signature: https://www.epa.gov/stationary-sources-airpollution/electric-utility-generating-units-advance-notice-proposed

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From: Lynn, Tricia [lynn.tricia@epa.gov]

Sent:11/15/2017 8:56:33 PMTo:Ex. 6 Personal Privacy (PP)Subject:Re: press inquiry

Hi Shia—

Again, for attribution to "an EPA spokesperson:"

As part of the typical rulemaking process, when any federal agency proposes a rule, information about the effects of the proposal are included in the electronic docket for the rulemaking.

Information from public comments on the 2015 rule, the proposed step 1 rule, and the pre-proposal request for recommendations are all available on <u>regulations.gov</u> and linked to on the agency website at <a href="https://www.epa.gov/wotus-rule/">https://www.epa.gov/wotus-rule/</a>.

The agencies have not set specific deadlines for either the step 1 or step 2 proposals, but plan to continue working expeditiously. These actions are a high priority for this Administration.

Best,

Tricia

From: Shia Levitt [mailto: Ex. 6 Personal Privacy (PP) Sent: Wednesday, November 15, 2017 1:03 PM

To: Lynn, Tricia <lynn.tricia@epa.gov>; Jones, Enesta <<u>Jones.Enesta@epa.gov</u>>

**Subject:** Re: press inquiry

Thanks Tricia,

I will look through these reports. A couple wuick follow ups:

- 1. As part of the rule making process, is there any more information you can provide on how and when the EPA will examine the effect of potential changes to the WOTUS definition? Ie, where and when will there be dates or guidelines for public comment posted and how might one obtain access to those public comments? I'm also interested in the overall timeline- specifically when might any next steps be taken to determibe whether the WOTUS definition might change?
- 2. Are there any folks who have been EPA experts for a long time focusing on CWA (or have specific knowledge about impact of CWA on these streams or water quality of these streams in general)? I would love to have a quick chat, and don't need to record yet at this stage.

I'll begin looking through some of these libks in the mean time.

Thanks,

Shia

On Wednesday, November 15, 2017, Lynn, Tricia <lynn.tricia@epa.gov> wrote:

If attributing, please attribute to "an EPA spokesperson:"

The U.S. Geological Survey (USGS) maintains the most comprehensive and up-to-date geospatial dataset of streams across the country, the National Hydrography Dataset (NHD). Many but by no means all washes and intermittent streams are mapped in the NHD. Many ephemeral streams are mapped in the Arid West in the NHD at high resolution. Information on this dataset is available here: <a href="https://nhd.usgs.gov/">https://nhd.usgs.gov/</a>.

Additional information on streams is available on EPA's website at https://www.epa.gov/cwa-404/streams/.

Federal, state, local, and tribal governments all have authority to regulate water resources. Federal Clean Water Act (CWA) programs only apply to waters considered to be "waters of the United States" under the Act. Through its actions related to defining waters of the U.S., this administration is more fully considering the policy in section 101(b) of the Act to recognize, preserve, and protect the primary responsibilities and rights of States to prevent, reduce, and eliminate pollution and provide regulatory certainty to our nation's farmers and businesses.

As such, if any water resource is no longer considered a "water of the U.S." then it would no longer be subject to any federal CWA programs. State, local, and tribal authorities may have programs under their own laws that may continue to apply to waters in their jurisdiction.

As part of the rulemaking process, the agencies intend to examine the potential effects of any new definition of "waters of the US."

EPA has several reports and tools regarding water quality available on our website. The National Water Quality Inventory Report to Congress (305(b) report) and the Assessment and Total Maximum Daily Load Tracking and Implementation System (ATTAINS) database are the primary vehicles for informing Congress and the public about general water quality conditions in the United States.

Information on the 305(b) report is available at: <a href="https://www.epa.gov/waterdata/national-water-quality-inventory-report-congress">https://www.epa.gov/waterdata/national-water-quality-inventory-report-congress</a>.

The most current, regularly updated state water quality information is available in the ATTAINS database at <a href="https://www.epa.gov/waterdata/assessment-and-total-maximum-daily-load-tracking-and-implementation-system-attains/">https://www.epa.gov/waterdata/assessment-and-total-maximum-daily-load-tracking-and-implementation-system-attains/</a>. Note that states do not make determinations of whether waters in their water quality assessments are "waters of the United States."

EPA's My Waters Mapper contains the status of Clean Water Act Section 402 National Pollutant Discharge Elimination System (NPDES) permits for each State; summary information from the Clean Watershed Needs Survey; and CWA 303/305 site specific water quality assessments. It can be found at <a href="https://watersgeo.epa.gov/mwm/">https://watersgeo.epa.gov/mwm/</a>. The National Aquatic Resource Surveys (NARS) are collaborative programs between EPA, states, and tribes designed to assess the quality of the nation's coastal waters, lakes and reservoirs, rivers and streams, and wetlands using a statistical survey design. More information on these reports can be found at <a href="https://www.epa.gov/national-aquatic-aqu resource-surveys/. Note that NARS does not consider if the water is a "water of the United States." Best, Tricia From: Shia Levitt [mailto: Ex. 6 Personal Privacy (PP) Sent: Friday, November 10, 2017 1:03 AM To: Jones, Enesta < Jones. Enesta@epa.gov > Cc: Lynn, Tricia < lynn.tricia@epa.gov> **Subject:** Re: press inquiry Dear Enesta, I don't yet need a recorded interview but would love if someone is available fir a quick phone chat for some background info next week at some point. Specifically I'd love to know:

- 1) any govt statistics on where these washes or ephemeral/intermittent streams are primarily located (geographically as well as whose land) what purpose/function they serve for the people who live near them
- 2) how and in what way do EPA or other govt bodies expect the CWA changes, if they happen, might most impact these waters and the people who live near or use them?
- 3) specifically which regulations (for which specific pollutants for instance) would no longer be enforced for these washes that were enforced for a while up until now

Seife v. EPA (1:19-cv-05190) 9.1.2020 ED\_003047\_00005751-00003

4) any reports on water quality from the years prior to intermittent streams/"washes" being considered WOTUS and regulated as such
I have a couple orher questions but those should be good to start with!
Thanks so much,
Shia

From: Lynn, Tricia [lynn.tricia@epa.gov]

**Sent**: 12/1/2017 5:12:50 PM

To: Sean Reilly [sreilly@eenews.net]

**Subject**: RE: Sample preparation laboratory photo--following up on vm

Sean-

For attribution to "an EPA spokesperson,"

Yes. We can confirm that the Sample Prep Laboratory is located at NAREL.

Best,

Tricia

From: Sean Reilly [mailto:sreilly@eenews.net]
Sent: Friday, December 01, 2017 10:32 AM
To: Lynn, Tricia < lynn, tricia@epa.gov>

Subject: Sample preparation laboratory photo--following up on vm

Hi Tricia:

If you click on this link (<a href="https://www.epa.gov/radiation/radiological-emergency-response-expertise-and-equipment">https://www.epa.gov/radiation/radiological-emergency-response-expertise-and-equipment</a>), you'll see that the third photo down is of a "Sample Prep Laboratory." My understanding is that this lab is based at NAREL in Montgomery, Ala., but can you confirm that? My deadline is 11:45 this morning.

Thanks, Sean

Sean Reilly
Reporter
E&E News
202-446-0433 (Desk)
Ex. 6 Personal Privacy (PP) Cell)
sreilly@eenews.net

Twitter: @SeanatGreenwire

## **E&E NEWS**

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EnergyWire, ClimateWire, E&E Daily, Greenwire, E&ENews PM

Lynn, Tricia [lynn.tricia@epa.gov] From: Sent:

11/6/2017 4:58:57 PM

Ariel Wittenberg [awittenberg@eenews.net] To: Subject: RE: WOTUS effective date--E&E News

Ariel-

For attribution to "an EPA spokesperson:"

The proposal is currently undergoing interagency review. After that review is complete and the proposal is signed, EPA will make it available for review and public comment.

EPA and the Army are taking this action to provide regulatory certainty and to give the agencies time to consider the two-step process to rescind the 2015 rule and revise the definition of "waters of the United States."

Best,

Tricia

From: Ariel Wittenberg [mailto:awittenberg@eenews.net] **Sent:** Monday, November 06, 2017 10:47 AM

To: Press < Press@epa.gov >

**Subject:** WOTUS effective date--E&E News

Hi All,

Saw that EPA and Army Corps had sent a proposed amendment to the Clean Water Rule to OIRA to change the date that the regulation goes into effect. I was wondering.

- 1. What is the new date?
- 2. Are there any other changes being proposed?
- 3. Why are you proposing to change the date? Does this have anything to do with the jurisdictional case before the Supreme Court and concerns about whether the Circuit-Court stays will remain in effect?

I'm on a fairly tight noon deadline today.

Thanks,

Ariel

Ariel Wittenberg **E&E News reporter** awittenberg@eenews.net 202-737-4557 @arielwittenberg

# **E&E NEWS**

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Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM, E&ETV

From: Lynn, Tricia [lynn.tricia@epa.gov]

Sent: 11/6/2017 4:57:09 PM

To: jackietoth@cqrollcall.com

Subject: RE: Press re: WOTUS at OMB

Jackie-

For attribution to "an EPA spokesperson:"

The proposal is currently undergoing interagency review. After that review is complete and the proposal is signed, EPA will make it available for review and public comment.

The proposal undergoing interagency review is separate from the two-step process the agencies propose to take to replace the 2015 rule. The comment period for the Step 1 rule closed in September and the agency is currently working to review the comments received from the public. The agency is also in the process of holding listening sessions with states, tribes and stakeholders as we work to develop a proposed step 2 rule that would revise the definition of "waters of the United States." The agency is working expeditiously on both actions.

Best,

Tricia

From: Jackie Toth [mailto:jackietoth@cgrollcall.com]
Sent: Monday, November 06, 2017 10:28 AM
To: Press < Press@epa.gov>
Subject: Press re: WOTUS at OMB

Hi all,

What would the WOTUS effective date amendment now at OMB do? To which date is it being changed? Are there any other proposed changes to the rescission/replacement being made in this proposal?

Deadline is 1pm.

Thanks, Jackie

-----

Jackie Toth
CQ Legal
Energy, Environment Reporter-Analyst
O: 202-650-6518
C: Ex. 6 Personal Privacy (PP)
@JackieTothDC

This e-mail may contain confidential material. If you are not an intended recipient, please notify the sender and delete all copies. It may also contain personal views which are not the views of CQ Roll Call or its owner, The Economist Group. We may monitor e-mail to and from our network. For company information go to <a href="http://legal.economistgroup.com">http://legal.economistgroup.com</a>.

From: Shawn McCoy [shawn@insidesources.com]

**Sent**: 12/8/2017 10:48:20 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: Re: Final Request for Comment

Are you aware of any incidents where Gina McCarthy's EPA had law enforcement remove reporters from an event?

On Fri, Dec 8, 2017 at 12:43 PM, Bowman, Liz < Bowman, Liz @epa.gov > wrote:

AP has issued a correction on one of his articles; he has written others that we believe had misleading or biased statements. We have brought those to his editor's attention, but the only major correction we are aware of is the one on the meeting with the CEO

From: Shawn McCoy [mailto:shawn@insidesources.com]

Sent: Friday, December 8, 2017 12:41 PM
To: Bowman, Liz < Bowman.Liz@epa.gov >
Cc: Wilcox, Jahan < wilcox.jahan@epa.gov >
Subject: Re: Final Request for Comment

For Biesecker—you mentioned that besides the chemical piece, the AP has corrected a number of other pieces he's written in Pruitt. Can you send examples?

Sent from my iPhone

On Dec 8, 2017, at 11:45 AM, Bowman, Liz < Bowman.Liz@epa.gov > wrote:

Hi Shawn – We want to be sure that your story accurately reflects the following information. I understand that you all would like an interview with the administrator, we have received your request and will let you know if there is an opportunity. Thank you – Liz

On the record statement: "We aim to provide the public information about EPA's work to protect human health and the environment, and correct inaccuracies reported by the press." – Liz Bowman

# Background:

- ∞ I am not aware of anyone being threatened
- $\infty$  This article is taking a few isolated incidents, and broadly applying it to all media this is not accurate
- $\infty$  Our staff especially Jahan have extensive and strong relationships with press across this country from national reporters to local outlets
- ∞ The AP reporter mentioned in the release was in Washington and has printed falsehoods that is important context
- $\infty$  Administrator Pruitt has traveled to nearly 30 states, and there have been very few incidents (two?) where people without credentials were asked to leave an event
- ∞ Administrator Pruitt has done interviews with outlets that represent diverse viewpoints and perspectives including The New York Times, MSNBC, and the AP. Top program and Regional leaders (both career and political) regularly speak to the press about a range of issues
- The former spokesperson you are quoting is an Obama appointee who recently started a job at the Sierra Club, following her starting a public affairs operation representing to attack the Trump administration on behalf of Gina McCarthy and other activist groups (<u>Ex-EPA spokeswoman Liz Purchia</u> started a public affairs shop aimed at firing back against the Trump administration. Her group is representing former EPA chief Gina McCarthy, environmental groups and other organizations. Purchia expects much of her firm's work to focus on state-level efforts (E&E Daily, March 7).
- $\infty$  Gina McCarthy barely left Washington or met directly with stakeholders or those affected by EPA regulations
- $\infty$  I fail to see what the SCIF has to do with EPA's press office?

From: Wilcox, Jahan

Sent: Friday, December 8, 2017 10:06 AM

**To:** Shawn McCoy <<u>shawn@insidesources.com</u>>; Press <<u>Press@epa.gov</u>>; <u>jahanwilcox@gmail.com</u>; Bowman, Liz <<u>Bowman.Liz@epa.gov</u>>; Bowman, Liz

<Bowman.Liz@epa.gov>

Subject: RE: Final Request for Comment

I have left Ethan a voicemail.

From: Shawn McCoy [mailto:shawn@insidesources.com]

**Sent:** Friday, December 8, 2017 10:03 AM

**To:** Wilcox, Jahan <<u>wilcox.jahan@epa.gov</u>>; Press <<u>Press@epa.gov</u>>; <u>jahanwilcox@gmail.com</u>; Bowman, Liz <<u>Bowman.Liz@epa.gov</u>>; Bowman, Liz

<<u>Bowman.Liz@epa.gov</u>>

Subject: RE: Final Request for Comment

Ethan's number: Ex. 6 Personal Privacy (PP)

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Friday, December 08, 2017 9:24 AM

**To:** Shawn McCoy <<u>shawn@insidesources.com</u>>; Press <<u>Press@epa.gov</u>>; <u>jahanwilcox@gmail.com</u>; Bowman, Liz <<u>Bowman.Liz@epa.gov</u>>; Bowman, Liz

<Bowman.Liz@epa.gov>

Subject: RE: Final Request for Comment

I just tried to call you.

From: Shawn McCoy [mailto:shawn@insidesources.com]

Sent: Thursday, December 7, 2017 8:10 PM

To: Press <<u>Press@epa.gov</u>>; Wilcox, Jahan <<u>wilcox.jahan@epa.gov</u>>;

jahanwilcox@gmail.com; Bowman, Liz <Bowman.Liz@epa.gov>; Bowman, Liz

<Bowman.Liz@epa.gov>

Subject: Final Request for Comment

Hey all,

The story below is set to publish tomorrow. I will wait until noon to hear back.

If you need it, I would be happy to provide you with additional time to review and respond to the information presented in the article. Just please email or call me, and let me know how much additional time you will need in order to get back to us.

But as I have been trying to get any type of response from the EPA related to this for the past week, I'm guessing you're not planning to respond.

This will be the first of a series of articles we plan to continue reporting on the EPA's media relations. Early next week, we have a full interview with Andrew Haffner that we plan to publish.

I would strongly encourage you to please reach out and discuss this with me. I spent a lot of my career working on GOP campaigns. We have a number of mutual friends. I understand some of

Seife v. EPA (1:19-cv-05190) 9.1.2020 ED\_003047\_00005787-00003

the pressures you face in your jobs. I would enjoy the opportunity to discuss this article in greater detail. I'm happy to do so off the record if you would feel more comfortable.

I hope to hear back from you.

All the best,

Shawn

### Shawn McCoy

Publisher

InsideSources.com

Phone: 330-207-5893

e-mail: shawn@insidesources.com

# Intimidation, Personal Attacks, and Silence: The EPA's Press Strategy Under Pruitt

By Ethan Stoetzler

In the months since Scott Pruitt took over as Administrator of the Environmental Protection Agency, he has dedicated the agency to rolling back regulations, in favor of the production of coal, expanded oil enterprises, and giving more authority of the management of natural resources back to their respective states. No doubt, these issues are often divisive along party lines, just as they were when the Obama administration implemented its agenda. Pruitt has been true to not only his word, but also the positions that Donald Trump advocated as he campaigned for office.

What is unusual about the implementation of Pruitt's agenda has been a strategy implemented by the EPA's press office that seems out of place in American democracy. Since the beginning of Pruitt's tenure, the EPA has been routinely threatening reporters with action by law enforcement, launching false personal attacks on journalists, cutting reporters off of press releases, limiting media access, and displaying an unprecedented level of hostility toward the media.

Just <u>last week</u>, an InsideSources reporter was escorted by a Story County Sheriff's Deputy out of an EPA event at an Iowa farm in which Administrator Scott Pruitt was the keynote speaker. The reporter received no formal explanation as to why he was being removed. Subsequent attempts by InsideSources to speak with EPA spokesman Jahan Wilcox were left unanswered.

The use of police force to keep events closed to members of the media is not an isolated incident in Pruitt's EPA. Neither is the EPA's silence as to why media is being discouraged from coming to appearances of the administrator.

Back on <u>August 9</u>, Andrew Haffner, of the Grand Forks Herald in North Dakota, reported that two Herald reporters were threatened by Wilcox to leave a Pruitt event at the Energy and Environmental Research Center (EERC) at the University of North Dakota (UND), or else police — whom Wilcox referred to as "security" — would remove them from the premises. Haffner told InsideSources that he had been to the EERC several times before, as his beat for the Herald is education. While the EERC has an independent structure from the university, the center's lobby is open to the public, which is where Haffner stood with a camera, waiting for Pruitt to arrive.

A <u>UND police</u> officer eventually arrived and told Haffner and his co-reporter that the grounds were private property, then demanded they move away from the center's front doors and across the street, where protesters were standing. Both reporters then noticed that Pruitt's motorcade was approaching the center and towards what Haffner described as a back loading bay. Haffner motioned to his co-worker to make their way to the back to take photos of Pruitt, where they then were stopped by a police vehicle.

According to former EPA Spokeswoman Liz Purchia Gannon, the EPA's strategy of blocking press access to Pruitt is very similar to the strategy employed by the White House communications team under President Trump.

"They're tightly controlling Pruitt's public events and interviews, which isolates him from most Americans and instead plays to Trump's base because that's who they prioritize," Gannon said. "They're not trying to use communications tactics to reach a broad audience."

When Haffner later returned to the press conference following Pruitt's closed roundtable, he was told that the event was still private, though Haffner assured them that he in fact had been invited to this particular portion of the day. Wilcox then approached Haffner, and after an exchange, accused Haffner of cooperating with protesters. Wilcox told Haffner that when he had called his fellow reporter over to take pictures of Pruitt, that Haffner was in fact coordinating protesters.

"He was insinuating I was in fact trying to set up a bit of a stunt with the protesters, which was honestly not the case," Haffner said.

The EPA press office now seems to be making a habit of accusatory and personal attacks against journalists. This behavior was exhibited again back in September, following an Associated Press story documenting Hurricane Harvey. Reporters Michael Biesecker and Jason Dearen wrote that the EPA was not present at at least five flooded "so-called" Superfund sites. EPA spokeswoman Liz Bowman responded to the story with personal attacks on Biesecker, calling his reporting "yellow journalism," and accusing him of not even visiting the sites, claiming that he was in Washington, D.C. at the time. Ignored entirely in the EPA's statement was Dearen, who did in fact visit the sites.

Another instance occurred as documented in the <u>Washington Post</u> on October 27. Bowman and Wilcox had an email exchange with New York Times reporter Eric Lipton, in which both Bowman and Wilcox employed media practices that virtually any PR professional would describe as highly unusual. Bowman and Wilcox refused to confirm the title and start date of a senior EPA employee to Lipton. It is standard practice for a federal agency to be able to provide

Seife v. EPA (1:19-cv-05190) 9.1.2020 ED\_003047\_00005787-00005

confirmation of this information. Rather, they referred Lipton to reporting from other media outlets. Lipton responded to explain that reporters can avoid making errors by requesting confirmation from a primary source. Wilcox then accused Lipton of trying to steal other reporters' work.

In addition to the EPA's strategies of using police force to remove reporters and attempting to tarnish reporters' credibility, the EPA also employs the strategy of keeping Pruitt's meetings with elected officials and industry leaders private. It's not just keeping his appearances private, however. A source close with media covering the EPA has said that several prominent reporters have been removed from the EPA's press list, effectively cutting them off from the flow of information.

Even when press conferences are scheduled following Pruitt's meetings, Pruitt is usually not featured in them. InsideSources has found over 12 instances in which Pruitt has held closed door meetings with elected officials and invite-only citizens and industry, leaving both reporters and the public without answers as to why they are being neglected.

Gannon said that by not publicizing Pruitt's events, the EPA will be limiting the opportunities for Pruitt to be exposed and for people to protest.

"He doesn't hold press conferences or gaggles when traveling or at events because they leave too much vulnerability," Gannon said, "and open the door for reporters to ask him questions that he doesn't want to talk about."

For example, in a story published on August 2, in the <u>Indianapolis Star</u>, it was reported Pruitt visited Indiana as part of his "State Action Tour" the day prior, meeting with Indiana Governor Eric Holcomb (R), Lt. Gov. Suzanne Crouch and "other state officials," according to a release sent by the EPA press office in the late afternoon. After his visit, Pruitt hosted a roundtable at Mike Starkey Farms in Boonville but "made no effort to also meet with environmental groups like The Hoosier Environmental Council, the Nature Conservancy's Indiana Chapter, the Sierra Club's Hoosier Chapter, Citizens Action Coalition, Conservation Law Center, and the Indiana Water Environmental Association." The story said all were unaware of the visit.

In fact, Pruitt's taxpayer-funded visits often neither include an announcement he is visiting the area or any time actually speaking with the public. On August 4, Pruitt visited the Gold King Mine in Colorado, but did not notify the local newspaper or the public, according to <a href="Jesse">Jesse</a> <a href="Aaron Paul">Aaron Paul</a>, political reporter for the Denver Post. According to Paul's twitter thread, the "EPA refused to acknowledge Administrator Scott Pruitt will be at the Gold King Mine today and then [sent] him on local TV."

Paul tweeted that media was not allowed to attend the Gold King tour with Senators Michael Bennet (D) and Cory Gardner (R), and Colorado Governor John Hickenlooper (R). Paul tweeted that there was to be a town hall in Durango, Colorado, but that the event was announced "about 24 hours before it happened -- and [was] for 45 mins." Paul also tweeted that the EPA sent out a news release the day prior to his tweets showing Pruitt meeting with Colorado farmers. The press was not given prior notice that he was in the state.

Not everyone agrees that allowing the media to serve as a watchdog of public officials is inherently a good thing, especially in the Trump era. A GOP media operative who advised the Trump campaign said that barring biased journalists from public appearances was a "long overdue strategy," but the source was deeply surprised that the EPA's press team acted with such hostility to InsideSources.

 "Most American reporters are effectively Democratic operatives," the operative said in an email, "so the Trump campaign barring partisan 'journalists' from events was brilliant and a long overdue strategy for the GOP. That said, many outlets, like InsideSources, provide fair coverage and therefore should be treated with the respect and access that real journalists deserve. The EPA should focus on kicking Democratic operatives with journalist credentials out of events--not fair and balanced news outlets like InsideSources."

To be fair regarding Pruitt's enhanced security presence, according to <u>CNN</u>, the EPA's inspector general is in the process of investigating more than 70 threats against Pruitt and others at the agency, nearly five times as many as the previous chief, Gina McCarthy, received. The EPA has increased security for Pruitt by "a dozen" agents, whose salaries alone are to cost minimum \$2 million per year. The agents are to give Pruitt 24-hour security, which the inspector general said had never been done for a chief, prior. In that story, Bowman declined to comment on the enhanced security to protect the administrator.

But while enhanced security for the personal protection of Pruitt can be understandable, the EPA is also spending tax dollars on a private sound proof booth for his use. According to a New York Times story, the EPA has signed a \$25,000 contract to build a completely sound proof "privacy booth" to be placed at EPA headquarters. According to the story, the EPA wanted a "secure phone and computer room, essentially for sensitive information."

The company, Acoustical Solutions, has worked with government offices since 2007 to create soundproof rooms and provide acoustic insulation. But even Steve Snider, a salesman for the company, described the EPA's request and customizations as "unusual."

Wilcox was repeatedly emailed to offer the EPA's perspective on its behavior towards the media. He was asked whether the EPA plans to continue using law enforcement to remove journalists from events, whether it is appropriate for the EPA press team to launch false personal attacks on reporters, and whether Pruitt has specifically directed his press team to undertake these actions. Wilcox has not replied to these inquiries.

Erin Mundahl reported and contributed to this story.

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From: Lynn, Tricia [lynn.tricia@epa.gov]

Sent: 11/13/2017 8:58:10 PM
To: anmurra@PointPark.EDU

**Subject**: Re: Media Inquiry - WOTUS map by states

Ashley-

Again, for attribution to "an EPA spokesperson,"

The purpose of the analysis was to better understand the extent of intermittent, ephemeral, and headwater streams that serve as source waters to drinking water intakes. The analysis showed the importance of those waters – that were at risk of losing protections because of the *Rapanos* decision – for feeding drinking water sources. They were not related to a jurisdictional analysis for the reasons stated.

Best,

Tricia

From: Murray, Ashley N [mailto:anmurra@PointPark.EDU]

**Sent:** Friday, November 10, 2017 1:31 PM **To:** Lynn, Tricia <lynn.tricia@epa.gov>

Subject: Re: Media Inquiry - WOTUS map by states

Thank you. But my follow-up question is then why was this included on the EPA's Clean Water Rule website if it was "was not a determination of jurisdictional or non-jurisdictional waters." Thank you very much for your help as I try to understand this complex topic. Here is the link to archived EPA site I'm referring

to: https://19january2017snapshot.epa.gov/cleanwaterrule\_.html



# Clean Water Rule | US EPA

### 19january2017snapshot.epa.gov

EPA and the Corps' Clean Water Rule clarifies protection under the Clean Water Act for streams and wetlands that form the foundation of the nation's water resources.

### **Ashley Murray**

Graduate Assistant
Center for Media Innovation
Point Park University
anmurra@pointpark.edu
C: Ex. 6 Personal Privacy (PP)

From: Lvnn. Tricia <lvnn.tr

From: Lynn, Tricia < lynn.tricia@epa.gov>
Sent: Monday, October 30, 2017 5:04:45 PM

To: Murray, Ashley N

Subject: RE: Media Inquiry - WOTUS map by states

Hi Ashley-

If attributing, please attribute to "an EPA spokesperson:"

The information identified here was the result of a geographic analysis of the extent of surface drinking water provided by intermittent, ephemeral and headwater streams, and was not a determination of jurisdictional or non-jurisdictional waters. Pennsylvania's Clean Streams Law has no bearing on whether or not such streams are found in a watershed that provides water to a public drinking water system.

The drinking water information is on EPA's current page: <a href="https://www.epa.gov/cwa-404/geographic-information-systems-analysis-surface-drinking-water-provided-intermittent">https://www.epa.gov/cwa-404/geographic-information-systems-analysis-surface-drinking-water-provided-intermittent</a>

Consistent with current policy and practice under the regulations and guidance that predated the Clean Water Rule, intermittent, ephemeral, and headwater streams are covered by the Clean Water Act either where they are navigable-in-fact, are relatively permanent tributaries of traditional navigable waters, or where a case-by-case analysis demonstrates that there is a significant nexus to such downstream waters. The 2008 *Rapanos* guidance can be found here: <a href="https://www.epa.gov/cwa-404/2008-rapanos-guidance-and-related-documents/">https://www.epa.gov/cwa-404/2008-rapanos-guidance-and-related-documents/</a>.

Best,

Tricia

From: Murray, Ashley N [mailto:anmurra@PointPark.EDU]

**Sent:** Friday, October 27, 2017 11:16 AM

To: Lynn, Tricia < <a href="mailto:lynn.tricia@epa.gov">!ynn.tricia@epa.gov">!ynn.tricia@epa.gov</a>; Jones, Enesta < <a href="mailto:Jones.Enesta@epa.gov">Jones, Enesta < a href="mailto:Jones.Enesta@epa.gov">Jones.Enesta@epa.gov</a>>

**Subject:** Media Inquiry - WOTUS map by states

Hi Tricia and Enesta,

My name is Ashley Murray, and I'm a reporter in Pittsburgh, PA. As part of my graduate studies in environmental journalism, I'm writing a story for publication in Pittsburgh Quarterly magazine regarding how the Obama-era Clean Water Rule (also commonly referred to as WOTUS, as it is an expansion of the protected waters of the U.S.) would have effected Pennsylvania. In my research, I found this impressive EPA map that breaks down all of the intermittent and ephemeral headwaters that drain into drinking water. According to the state breakdown, Pennsylvania has approximately 10,000 miles of intermittent and ephemeral headwaters that drain into surface sources of drinking water. I have two questions regarding this: 1.) Because this map was used on the now-archived Clean Water Rule EPA website, does this mean those intermittent and ephemeral headwaters ARE NOT protected, and would have been protected had the Clean Water Rule gone into effect? 2.) If that is the case and those waters would not be protected without the Clean Water Rule, then did the EPA consider Pennsylvania's Clean Streams Law protection when calculating the number of miles of ephemeral and intermittent headwaters?

https://19january2017snapshot.epa.gov/cleanwaterrule/populations-get-drinking-water-streams .html



Populations that Get Drinking Water from Streams | Clean ...

19 january 2017 snapshot.epa.gov

An interactive map of populations that get drinking water from streams.

https://www.epa.gov/sites/production/files/2015-04/documents/2009 12 28 wetlands science surface drinking water surface drinking water results state.pdf

Analysis of the Surface Drinking Water Provided By ...

### www.epa.gov

Analysis of the Surface Drinking Water Provided By Intermittent, Ephemeral, and Headwater Streams in the U.S. Completed by U.S. EPA in July 2009

Thank you, Ashley

Ashley Murray
Graduate Assistant
Center for Media Innovation
Point Park University
anmurra@pointpark.edu
C: Ex. 6 Personal Privacy (PP)

From: Lynn, Tricia [lynn.tricia@epa.gov]

Sent: 11/6/2017 9:49:49 PM
To: SVerburg@madison.com
Subject: RE: Inquiry about Wetlands

Hi Steve-

For attribution to "an EPA spokesperson:"

We will review and respond appropriately.

Best,

Tricia

From: Steve Verburg [mailto:SVerburg@madison.com]

Sent: Monday, November 06, 2017 3:50 PM
To: Lynn, Tricia < lynn.tricia@epa.gov>
Subject: Inquiry about Wetlands

Hi Tricia,

I'm writing on deadline about a 60-day notice filed by the Menomonee Tribe of Wisconsin related to the Aquila Back Forty mine project and the delegation of permitting authority to the state of Michigan. Here's the filing.

 $\frac{https://earthjustice.org/sites/default/files/files/60\%20Day\%20Notice\%20Letter\%20back\%20Forty\%20Mine\%20Project.pdf}{df}$ 

Can you comment?

Thanks,

Steve Verburg Reporter, Wisconsin State Journal 608.252.6118 @St\_Verburg

From: Sent: To: Subject:	Lynn, Tricia [lynn.tricia@epa.gov] 11/6/2017 6:12:41 PM jackietoth@cqrollcall.com Re: Press re: WOTUS at OMB
Subject.	ne. Fless le. WOTOS at Olvib
Hi Jackie—	
Yes, that is co	rrect.
Thanks so mu	ch,
Tricia	
Sent: Monday To: Lynn, Trici	oth [mailto:jackietoth@cgrollcall.com] , November 06, 2017 12:02 PM a < <u>lynn.tricia@epa.gov</u> > ress re: WOTUS at OMB
	a, Tricia. Am I interpreting the proposal correctly that it is amending the original 2015 rule's e as a means of providing certainty to stakeholders? Let me know if that is not correct.
- Jackie	
Jackie Toth CQ Legal Energy, Envi O: 202-650-6 C: Ex. 6 Personal Pri @JackieToth	vacy (PP)
On 6 Novem	ber 2017 at 11:57, Lynn, Tricia < lynn.tricia@epa.gov > wrote:
Jackie—	
For attribution	on to "an EPA spokesperson:"
	is currently undergoing interagency review. After that review is complete and the proposal is signed, EPA vailable for review and public comment.
	undergoing interagency review is separate from the two-step process the agencies propose to take to 015 rule. The comment period for the Step 1 rule closed in September and the agency is currently working

states, tribes and stakeholders as we work to develop a proposed step 2 rule that would revise the definition of "waters of the United States." The agency is working expeditiously on both actions.
Best,
Tricia
From: Jackie Toth [mailto:jackietoth@cqrollcall.com]  Sent: Monday, November 06, 2017 10:28 AM  To: Press < Press@epa.gov > Subject: Press re: WOTUS at OMB
Hi all,
What would the WOTUS effective date amendment now at OMB do? To which date is it being changed? Are there any other proposed changes to the rescission/replacement being made in this proposal?
Deadline is 1pm.
Thanks,
Jackie
Jackie Toth
CQ Legal
Energy, Environment Reporter-Analyst
O: <u>202-650-6518</u>
C: Ex. 6 Personal Privacy (PP)
@JackieTothDC

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From: Lynn, Tricia [lynn.tricia@epa.gov] 11/7/2017 5:33:23 PM Sent: To: bbienkowski@ehsciences.org Subject: RE: Comment request Hi Brian-For attribution to "an EPA spokesperson:" We will review and respond appropriately. Best, Tricia Tricia Lynn Office of Public Affairs U.S. EPA Office: 202.564.2615 From: Brian Bienkowski [mailto:bbienkowski@ehsciences.org] Sent: Tuesday, November 07, 2017 6:01 AM To: Daguillard, Robert < Daguillard.Robert@epa.gov>; Lynn, Tricia < lynn.tricia@epa.gov> Subject: Comment request Good morning -- Brian Bienkowski, editor of Environmental Health News. I'm writing up a piece on the letter of intent to sue sent by the Menominee Tribe to the EPA, Corps yesterday over a proposed mine on the banks of the Menominee River and the alleged neglect by the feds to take charge of the wetland permitting. Letter here. Just wanted to give the EPA a chance to respond. I'm publishing something in a couple hours but can update whenever if you care to respond to the letter's allegations. Brian Senior Editor Environmental Health News, The Daily Climate (C) Ex. 6 Personal Privacy (PP) Twitter: @BrianBienkowski

To: Reis Thebault Ex. 6 Personal Privacy (PP)

From: Lynn, Tricia[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D8747BA49CDE485EA4AC58DBF09C3DCD-TRICIA SLUSSER]

**Sent:** Thur 10/19/2017 6:36:55 PM (UTC)

**Subject:** Re: Press Inquiry | Investigative Reporting Workshop

Hi Reis-

For attribution, if attributing, to "an EPA spokesperson:"

EPA has several programs that collect air emissions data from refineries, including the Toxics Release Inventory (TRI), the Greenhouse Gas Reporting Program (GHGRP), and the National Emissions Inventory (NEI).

Through the <u>Toxics Release Inventory</u>, U.S. facilities in different industry sectors report annual data for certain toxic chemicals, including how much is released to the environment and/or managed through recycling, energy recovery, and treatment. In the <u>TRI explorer</u>, you can search reports by industry NAICS code.

The <u>Greenhouse Gas Reporting Program</u> gathers annual greenhouse gas data from large stationary sources (that emit over 25,000 tons carbon dioxide equivalent annually), including refineries. In the program's online <u>data publication tool</u>, you can see data on refineries that report by selecting "refineries" at the bottom of the map. The reporting refineries will show up on the map, or you can select "list" view. Clicking on a refinery name will bring up the reported data for that refinery, including FRS ID and NAICS code.

The <u>National Emissions Inventory</u> is released every three years based primarily on data provided by state, local and tribal air agencies. While the NEI does have FRS IDs as "alternative IDs" in the database, they can get out of date between reports.

You might also be interested in checking EPA's Envirofacts database. Envirofacts allows users to search by NAICS code to compile a list of facilities who submit air emissions data to EPA. It is also possible to access the NEI, GHGRP, and TRI data through Envirofacts.

Best,

Tricia

Tricia Lynn
Office of Public Affairs
U.S. EPA
Office: 202.564.2615

From: Reis Thebault [mailto: Ex. 6 Personal Privacy (PP)

**Sent:** Monday, October 16, 2017 2:21 PM **To:** Lynn, Tricia < lynn.tricia@epa.gov>

Subject: Re: Press Inquiry | Investigative Reporting Workshop

Hi Tricia,

Thank you for the speedy reply.

On the refinery capacity data, I spoke with the EIA, and I've seen the data it keeps on capacity. It's helpful, but the trouble is that the EIA doesn't use FRS ID numbers, so there's really no way I can be sure that a refinery on the EIA's list is the same as one on the EPA's.

This would really be a favor: I'm interested in refinery capacity because it seems like a good proxy for the size of any given refinery and, then, for the amount of air pollution that refinery generates. Could you tell me what data I might find in an EPA database (that comes with FRS ID numbers) that would tell me how much air pollution each refinery creates?

Hope I'm not pushing my luck too much, here!

Best, Reis

Reis Thebault 734-239-3793

Ex. 6 Personal Privacy (PP)

@ReisThebault

On Oct 16, 2017, at 10:19 AM, Lynn, Tricia < lynn.tricia@epa.gov > wrote:

Hi Reis-

If attributing, please attribute to "an EPA spokesperson:"

EPA uses 2010 Census to calculate our demographics data, including 2010 American Community Survey information on education and income, which was not part of the 2010 Census data.

Regarding petroleum refinery capacity data, any information EPA has would be pulled from the DOE's Energy Information Administration – <a href="https://www.eia.gov/">https://www.eia.gov/</a>. It would be best to speak with them directly for more information.

Best,

Tricia

From: Reis Thebault [mailto: Ex. 6 Personal Privacy (PP)

**Sent:** Thursday, October 12, 2017 12:32 PM **To:** Lynn, Tricia < lynn.tricia@epa.gov>

Subject: Re: Press Inquiry | Investigative Reporting Workshop

Dear Tricia,

Hope you've been well. I have a couple more questions about the data from our thread below.

I'm assuming the demographic data used is from the ACS, right? Would that be the 2015 ACS? And do you know whether those are the 1-year, 3-year, or 5-years estimates?

I'm also wondering if the EPA keeps any data on petroleum refinery capacity.

Many thanks,

Reis

Reis Thebault

734-239-3793

Ex. 6 Personal Privacy (PP)

@ReisThebault

On Jul 19, 2017, at 10:19 AM, Lynn, Tricia < lynn.tricia@epa.gov > wrote:

Seife v. EPA (1:19-cv-05190)

9.1.2020

Reis—
My sincerest apology for the delay. Please see the attached document. If attributing, please attribute to "an EPA spokesperson."
Best,
Tricia
Tricia Lynn Office of Public Affairs U.S. EPA Office: 202.564.2615
From: Reis Thebault [mailto: Ex. 6 Personal Privacy (PP)   Sent: Tuesday, June 20, 2017 11:26 AM To: Lynn, Tricia < lynn.tricia@epa.gov < mailto: lynn.tricia@epa.gov >> Subject: Re: Press Inquiry   Investigative Reporting Workshop
Hi Tricia,
Thanks so much for this. Perhaps this is a user error on my part, but I'm not seeing a more specific demographic breakdown, akin to what I see in a detailed facility report such as this:https://echo.epa.gov/detailed-facility-report?fid=110000336994https://echo.epa.gov/detailed-facility-report?fid=110000336994 <https: detailed-facility-report?fid="110000336994" echo.epa.gov=""></https:>
In the demographic summary here, we can see breakdowns by race, income level, education, etc. Is there a way I'm not seeing to do this in the search you sent me?
Best, Reis
On Tue, Jun 20, 2017 at 11:07 AM, Lynn, Tricia <lynn.tricia@epa.gov<mailto:lynn.tricia@epa.gov>&gt; wrote: Hi Reis—</lynn.tricia@epa.gov<mailto:lynn.tricia@epa.gov>
Thanks so much for your patience.
For your background, here are directions for how to search the ECHO database for the data you need:
Search on the NAICS code and FRS IDs of interest into ECHO's Facility Search form

Search on the NAICS code and FRS IDs of interest into ECHO's Facility Search form (https://echo.epa.gov/facilities/facility-search?mediaSelected=all). Once in the search results table, you should select 'Customize Columns' and select all the demographic profile information of interest. This is under the heading 'Other Information'. The columns will update in the results table, and can be downloaded via the 'Download Data' button. This is circled in red in the screen shot below.

You can also use the side right panel (pink/red) under 'Filter Facilities' and 'Customize Map Layers' to filter Demographic Characteristics, or EJSCREEN Maps to filter on EJ2020 Maps, EJ Indexes, Demographic Indicators, or Environmental Indicators.

[cid:image001.jpg@01D2EA77.1FD66DC0]

From: Reis Thebault [mailto:r Ex. 6 Personal Privacy (PP)

Sent: Monday, June 12, 2017 11:10 AM

To: Lynn, Tricia < lynn.tricia@epa.gov < mailto:lynn.tricia@epa.gov >> Subject: Re: Press Inquiry | Investigative Reporting Workshop

Hi Tricia,

Just following up on our phone call today.

My request: I'm hoping someone at the EPA could provide me with the dataset connected to the ECHO facility lookup site<a href="https://echo.epa.gov/">https://echo.epa.gov/</a>. I'm looking for only facilities with the NAICS code 324110, and I'm looking only for their demographic profiles. On the ECHO site you can pull these profiles up one by one, but I would like the dataset with each one in it. I'm happy to provide every FRS ID number that I'm looking for, if that would be helpful.

My story: I don't have anything fine-tuned just yet, but I'm planning to look at fenceline communities on a national scale.

Hard deadline: the end of this week (6/16).

Many thanks for your time and attention.

Reis

--

Reis Thebault

Reporter | Investigative Reporting Workshop

w: 202-885-3919

C Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP) < mailto: Ex. 6 Personal Privacy (PP)

@ReisThebault<https://twitter.com/ReisThebault>

<ECHO Demographics by FRS IDs 06.29.17.xlsx>

Message
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From: Lynn, Tricia [lynn.tricia@epa.gov]

**Sent**: 9/26/2017 3:43:37 PM **To**: Susan.Hogan@nbcuni.com

Subject: RE: NBC 4 Inquiry

Hi Susan—

For attribution to "an EPA spokesperson,"

While EPA has carbon monoxide (CO) standards for outdoor air, the Agency does not have any CO standards for indoor environments. EPA does not have the legislative authority to regulate carbon monoxide indoors. The Agency is working with others to establish residential indoor CO standards, but nothing is currently in place.

See here for EPA's outdoor air standards: https://www.epa.gov/naags/carbon-monoxide-co-air-quality-standards.

See here for EPA's information on CO impacts on indoor air: <a href="https://www.epa.gov/indoor-air-quality-iag/carbon-monoxides-impact-indoor-air-quality-iag/carbon-

The Occupational Safety and Health Administration does have occupational exposure limits. The carbon monoxide content of the atmosphere in a room, building, vehicle, railcar or any enclosed space shall be maintained at not more than 50 parts per million (ppm) (0.005%) as an eight hour average area level and employees shall be removed from the enclosed space if the carbon monoxide concentration exceeds a ceiling of 100 ppm (0.01%). For more information: https://www.osha.gov/pls/oshaweb/owadisp.show\_document?p\_table=STANDARDS&p\_id=10366.

The Centers for Disease Control have information on the health effects of CO: <a href="https://www.cdc.gov/niosh/docs/81-123/pdfs/0105.pdf">https://www.cdc.gov/niosh/docs/81-123/pdfs/0105.pdf</a> and <a href="https://www.cdc.gov/co/faqs.htm">https://www.cdc.gov/co/faqs.htm</a>.

The Consumer Product Safety Commission has a webpage where consumers can report unsafe products: <a href="https://www.saferproducts.gov/CPSRMSPublic/Incidents/ReportIncident.aspx">https://www.saferproducts.gov/CPSRMSPublic/Incidents/ReportIncident.aspx</a>

Best,

Tricia

Tricia Lynn Office of Public Affairs U.S. EPA

Office: 202.564.2615

From: Hogan, Susan (NBCUniversal) [mailto:Susan.Hogan@nbcuni.com]

Sent: Monday, September 25, 2017 2:32 PM

To: Press <<u>Press@epa.gov</u>>
Subject: NBC 4 Inquiry

Good afternoon,

Does the EPA have any standard for what is considered an "acceptable level" of CO in a vehicle?

Deadline: NOON 9/26.

Thank you, Susan



4001 Nebraska Avenue NW Washington, DC 20016

Susan Hogan

Consumer Investigative Reporter Ex. 6 Personal Privacy (PP) (Cell)

202-885-4822 (office)

@susanhogantv

www.nbcwashington.com

From: Grantham, Nancy [Grantham.Nancy@epa.gov]

**Sent**: 9/26/2017 12:13:47 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Graham, Amy

[graham.amy@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud,

Michael [abboud.michael@epa.gov]; Konkus, John [konkus.john@epa.gov]

**Subject**: FW: 9/26 issues

Attachments: 8.3 issues (002) (002) (003) (002) (003) (003) (003) (003) (003) (003) (002) (003) (005).docx

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Ex. 6 Personal Privacy (PP) (mobile)

**To:** Scott.Sherman@scripps.com[Scott.Sherman@scripps.com]

**Cc:** Jones, Enesta[Jones.Enesta@epa.gov]

From: Lynn, Tricia[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D8747BA49CDE485EA4AC58DBF09C3DCD-TRICIA SLUSSER]

**Sent:** Mon 10/2/2017 4:52:59 PM (UTC)

Subject: Re: Water Inquiry

Hi Scott-

For attribution to "an EPA spokesperson:"

This pH range is EPA's current secondary standard which was established to address taste, odor, corrosivity and staining related to corrosion. EPA believes that if these contaminants are present in your water at levels above these standards, the contaminants may cause the water to appear cloudy or colored, or to taste or smell bad. This may cause a great number of people to stop using water from their public water system even though the water is actually safe to drink. Secondary standards are set to give public water systems some guidance on removing these chemicals to levels that are below what most people will find to be noticeable.

There are a wide variety of problems related to secondary contaminants.

These problems can be grouped into three categories:

- Aesthetic effects undesirable tastes or odors;
- Cosmetic effects effects which do not damage the body but are still undesirable
- Technical effects damage to water equipment or reduced effectiveness of treatment for other contaminants

To learn more about EPA's secondary standards please visit:

https://www.epa.gov/dwstandardsregulations/secondary-drinking-water-standards-guidance-nuisance-chemicals

Best,

Tricia

Tricia Lynn
Office of Public Affairs
U.S. EPA

Office: 202.564.2615

From: Jones, Enesta

Sent: Friday, September 29, 2017 4:02 PM

**To:** Sherman, Scott < <u>Scott.Sherman@scripps.com</u>>

Cc: Lynn, Tricia <lynn.tricia@epa.gov>; Jones, Enesta <Jones.Enesta@epa.gov>

Subject: Re: Water Inquiry

Hi Scott, looks like I won't have an answer today. Tricia Lynn will be in touch with you on Monday when I'm out.

On Sep 29, 2017, at 2:49 PM, Sherman, Scott < Scott.Sherman@scripps.com > wrote:

Hey Enesta,

I have a question; the range the EPA has set for pH levels for tap water at 6.5 – 8.5 does that mean anything outside of those is considered unsafe? Or can you drink water with a pH balance or 0 or 14 and still be safe? From what I understand pH levels are secondary regulations and any pH level is still safe to drink. I'm just trying to clarify any guidance would be helpful.

Thanks,

Scott Sherman
National Investigative Producer
The NOW - A newscast airing in 12 TV markets

Seife v. EPA (1:19-cv-05190)

9.1.2020

ED\_003047\_00005934-00001



From: "Jones, Enesta" < <u>Jones.Enesta@epa.gov</u>>

Date: Wednesday, September 27, 2017 at 11:29 AM

To: "Sherman, Scott" < <u>Scott.Sherman@scripps.com</u>>

Cc: "Jones, Enesta" < Jones. Enesta@epa.gov>

**Subject:** Water Inquiry

Hi Scott, questions about bottled water can be directed to the Food and Drug Administration. Peter Cassell is a contact there: Peter.Cassell@fda.hhs.gov

Please let me know if you have any specific questions about drinking water/tap water for EPA. And your firm deadline -- thank you.

Hello Rich,

My name is Scott Sherman, I'm a producer with the Now a national news show that based out of channel 7 here in Denver. We are doing a story about pH levels in water, we've tested some tap samples from all of our stations around the country and also some bottled water and wanted to do an on camera interview talking with someone about the difference in regulation between bottled and tap water and how so many bottled water companies are using pH levels as a marketing gimmick when tap water has balanced pH levels and costs a fraction of the price of bottled water. If you would be willing to help us out that would be great.

Thanks,

Scott Sherman
National Investigative Producer
The NOW - A newscast airing in 12 TV markets

Ex. 6 Personal Privacy (PP) (Voice/text)

Message
---------

From: Lynn, Tricia [lynn.tricia@epa.gov]

 Sent:
 9/25/2017 7:22:30 PM

 To:
 Ex. 6 Personal Privacy (PP)

Subject: FW: For Review: Pharmaceutical Times (Ken Fagerman) RE: Reducing Pharmaceutical Footprint (9/25)

Hi Ken-

I'm stepping in for my colleague, Enesta Jones, who is out today.

For attribution to "an EPA spokesperson:"

EPA cannot comment on this research.

Best,

Tricia

Tricia Lynn Office of Public Affairs U.S. EPA

Office: 202.564.2615

----Original Message-----From: Jones, Enesta

Sent: Friday, September 22, 2017 2:03 PM To: Ken Fagerman (Ex. 6 Personal Privacy (PP))

Cc: Lynn, Tricia < lynn.tricia@epa.gov>; Jones, Enesta < Jones.Enesta@epa.gov>

Subject: Re: Pharmaceuticals

Hi Ken, we will need until Monday to be responsive. My colleague, Tricia Lynn, copied here, will be in touch since I'm out on Monday and Tuesday of next week.

Thanks for understanding and have a great weekend.

On Sep 20, 2017, at 12:08 PM, Ken Fagerman Ex. 6 Personal Privacy (PP) > wrote:

I am ready to submit with some final edits. Would you be able to provide me with something by the end of the week.

Ken Fagerman

Sent from my iPhone

> On Sep 20, 2017, at 11:39 AM, Jones, Enesta < Jones. Enesta@epa.gov> wrote:

>

> Hi Ken, we have received your inquiry below. What's your firm deadline? Is that your only request, or do you have more specific questions of the agency? Thank you.

>

> Ms. Latham:

- > I am a pharmacist and contributor to the journal "Pharmacy Times". I'm composing an article on pharmaceuticals in waste water as a result of human consumption of medications and suggesting more awareness on the part of pharmacists and consumers.
- > Some of my research suggests that only about 50% of pharmaceuticals or the metabolites in waste water is removed by waste water treatment plant technology. This waste ultimately finds its way into our drinking water at low levels.
- > So, efforts by consumers to choose medications with high absorptive and low active excretion rates would be beneficial and lower your personal "pharmaceutical footprint".
- > Would you be able to provide me with a supporting quote or concern for my publication on behalf of the EPA?
- > Respectfully,
- > Ken Fagerman, R.Ph.,M.M.

>

From: Lynn, Tricia [lynn.tricia@epa.gov]

**Sent**: 10/12/2017 6:46:20 PM

To: Juan Carlos Rodriguez [jc.rodriguez@law360.com]

**Subject**: RE: Center for Biological Diversity threatens suit over effluent rule

Juan Carlos-

If attributing, for attribution to "an EPA spokesperson:"

We cannot comment on pending litigation. Please contact Mark Abueg (<u>mark.abueg@usdoj.gov</u>) at the Department of Justice.

Best,

Tricia

Tricia Lynn Office of Public Affairs U.S. EPA

Office: 202.564.2615

From: Juan Carlos Rodriguez [mailto:jc.rodriguez@law360.com]

Sent: Thursday, October 12, 2017 2:04 PM

To: Press < Press@epa.gov >

Subject: Center for Biological Diversity threatens suit over effluent rule

Hello,

Just wondering if the EPA has any comment regarding the Center for Biological Diversity's **press release** announcing it intends to sue over the effluent rule.

My deadline is 6 p.m. EDT today.

Thanks.

Juan Carlos Rodriguez Senior Environment Reporter



Legal News & Data

111 West 19th Street 5th Floor New York, NY 10011 Office: 646-783-7197 Cell: Ex. 6 Personal Privacy (PP)



Follow me on Twitter



Follow Law360 on Twitter

From:	Lynn, Tricia [lynn.tricia@epa.gov]
Sent:	10/12/2017 6:28:30 PM
To: Subject:	Maria Masters Ex. 6 Personal Privacy (PP) RE: Media inquiry - story about indoor mold
Subject.	N.E. Media inquiry - story about indoor mold
Hi Maria—	
Thank you so	much for your patience. Please attribute to Laureen Burton, Staff Chemist/Toxicologist.
Doct	
Best,	
Tricia	
From: Maria	Masters [mailto: Ex. 6 Personal Privacy (PP)
Sent: Thursda	y, October 12, 2017 2:22 PM
	ia <lynn.tricia@epa.gov></lynn.tricia@epa.gov>
Subject: Re: N	Media inquiry - story about indoor mold
*** (T) ' '	
Hi Tricia,	
Maria Masta	ers againis it possible to get the name of a spokesperson by 5:00 pm today? My editor needs this
information.	as againis it possible to get the name of a spokesperson by 3.00 pm today? My editor needs this
imormation.	
Thank you,	
Maria	
1714114	
On Tue, Oct	10, 2017 at 2:11 PM, Lynn, Tricia < lynn.tricia@epa.gov > wrote:
Hi Maria. M	y apologiesthe agency was closed yesterday for the holiday.
I'm checking	now and will be in touch as soon as I have something for you.
Thanks!	
manks:	
Tricia	
	<del></del>
	Masters [mailto: Ex. 6 Personal Privacy (PP)
	ay, October 10, 2017 2:01 PM
•	cia < <u>lynn.tricia@epa.gov</u> >
annlect: Ke:	Media inquiry - story about indoor mold

Hi Tricia, Maria Masters again--would I be able to cite a specific person for this information provided? I worry I won't be able to use it unless it comes from a person. I understand some of the material came from the website, but if you could point out what I might be able to attribute to a named spokesperson, that would be a big help. Thanks, Maria On Mon, Oct 9, 2017 at 1:13 PM, Maria Masters **Ex. 6 Personal Privacy (PP)** wrote: Hi Tricia, So sorry to bother you again--you've been a great help!--but I was wondering, is there a specific person that I could cite for (even parts of) the information provided? Thank you! Maria On Fri, Oct 6, 2017 at 3:02 PM, Maria Masters **Ex. 6 Personal Privacy (PP)** wrote: Hi Tricia, Wonderful! This is all so great! Quick question: Is there a specific person I could mention for the "EPA" spokesperson"? Or, did it come from more than one person? On Fri, Oct 6, 2017 at 2:19 PM, Lynn, Tricia < lynn.tricia@epa.gov > wrote: Hi Maria-

If attributing, for attribution to "an EPA spokesperson:"

- 1. What does mold smell like? (Online, this answer tends to be a bit circular--i.e., mold smells like mildew, or mold smells damp.) Is there another way to describe its smell? Can it smell sweet, or does it smell sour? Is there any example of what mold smells like? I.e., faintly of beer? And does black mold give off the same scent?
- In general, smell is not a good way to determine if there is a mold problem. The key to mold control indoors is moisture control.
- The smell of mold indoors can differ depending on several factors including the individual's sense of smell or sensitivity to smells, the source of the moisture that lead to the mold growth, the substrate that the mold is growing on, the type of mold, the tightness of the room, etc.
- The smell when mold is present has been described by some people with terms like earthy, musty, damp, stale, mildew or moldy. However, there are several situations where there has been mold found in the environment with no smell was described by people in the environment
  - 2. Is the smell of mold coming from the production of mVOCs? What causes the production of these mVOCs? (Does it come after/as the mold is breaking down organic matter, or is it just a natural byproduct--i.e., an odor that molds give off during their lifetime?)
- Some compounds produced by some molds during portions of their growth cycle have strong smells and are volatile and quickly released into the air. These compounds are known as microbial volatile organic compounds (mVOCs).
- mVOCs can have strong or unpleasant odors, they can be the source of the "moldy odor" or musty smell frequently associated with mold growth.
- The health effects of inhaling mVOCs are largely unknown, although exposure to some mVOCs have been linked to symptoms such as headaches, nasal irritation, dizziness, fatigue, and nausea. More research is needed to determine whether there are any human health effects from non-occupational indoor exposures to mVOCs.
  - 3. What does mold look like? (Do different species or genus have different colors, or is it hard to distinguish the type without a microscope?) In addition, is it true that molds can range in appearance, and if so, what are their colors and textures?
- There are thousands of types of mold. The colors and textures of molds vary and how molds appear visually can depend on several factors including the type of mold, the substrate it is growing on and location.
  - 4. The CDC and EPA says that mold testing isn't usually necessary. Is this correct, and if so, why is it unnecessary to do anything other than visually examine signs of mold?

- Molds are usually not a problem indoors, unless mold spores land on a wet or damp spot and begin growing. There are many types of mold, and none of them will grow without water or moisture.
- Indoor mold growth can and should be prevented or controlled by controlling moisture indoors. If there is mold growth in your home, you must clean up the mold and fix the water problem. If you clean up the mold, but don't fix the water problem, most likely, the mold problem will come back.
- <u>In most cases, if visible mold growth is present, sampling is unnecessary</u>. Since no EPA or other federal limits have been set for mold or mold spores, sampling cannot be used to check a building's compliance with federal mold standards and it may be of limited use in helping to understand the problem.
- <u>Mold assessment</u> is mainly done through visual inspection of areas where there have been moisture problems or water damage. <u>Surface sampling</u> may be useful to determine if an area has been adequately cleaned or remediated.
- If sampling for mold is necessary it should be conducted by professionals who have specific experience in designing mold sampling protocols, sampling methods, and interpreting results. Sample analysis should follow analytical methods recommended by the American Industrial Hygiene Association (AIHA), the American Conference of Governmental Industrial Hygienists (ACGIH), or other professional organizations.
  - 5. What if you believe that you have hidden sources of mold? What might cause a person to suspect hidden mold, and if so, what type of professional should you call, if you should call anyone?
- Investigating hidden mold problems may be difficult and will require caution when the investigation involves disturbing potential sites of mold growth. For example, removal of wallpaper can lead to a massive release of spores if there is mold growing on the underside of the paper.
- The key to mold growth is moisture so part of assessing mold problems is looking for existing or potential moisture problems. People may suspect they have hidden mold if you know there has been water damage behind walls or beneath surfaces, or there are unexplained odors in certain areas which have been damp or we but you cannot find the source, or ifbuilding occupants are reporting health problems. If you believe that you may have a hidden mold problem, consider hiring an experienced professional.
- EPA does not have a certification program for mold inspectors or mold remediation firms. EPA does not maintain a list of mold inspectors or mold remediation firms, though some states might. Some states and organizations may require certification, trainings, or examinations for practitioners in the indoor air quality industry.
- Companies that provide water damage inspection services may help look for moisture and some may be familiar with mold problems as well. Sometimes companies that provide radon, lead or asbestos inspection services provide mold assessment services as another part of their business. Ask about qualifications, training and experience and check references for professionals you are considering.
  - 6. If a wall or floor is covered in mold, how would a person go about either cleaning that of finding a progressional who could do so? Are there any organizations that are certified to perform this work?
- Key remediation steps for mold cleanup include:
  - o Assess size of mold problem and note type of mold-damaged materials. Depending on the size of the area involved, professional assistance may be needed to dry an area quickly and

thoroughly. See: Table 1 and 2 Mold Remediation in Schools and Commercial Buildings at <a href="https://www.epa.gov/mold/mold_remediation.html">www.epa.gov/mold/mold_remediation.html</a> Opens a New Window. [EPA 402-K-01-001, March 2001] for more specific information
<ul> <li>Communicate with building occupants throughout process as appropriate to situation</li> </ul>
o Identify source or cause of water or moisture problem
Fix water or moisture problem
<ul> <li>Clean, dry or discard moldy materials as appropriate</li> </ul>
Additional resources:
<ul> <li>A Brief Guide to Mold, Moisture, and Your Home" at <a href="www.epa.gov/mold/moldguide.html">www.epa.gov/mold/moldguide.html</a> Opens a New Window. [EPA 402-K-02-003]</li> </ul>
<ul> <li>Una Breve Guía para el Moho, la Humedad y su Hogar está disponible en el formato PDF         <u>www.epa.gov/mold/pdfs/moldguide_sp.pdf Opens a New Window.</u> Documento de la agencia EPA número 402-K-03-008.     </li> </ul>
<ul> <li>Read the publication "Mold Remediation in Schools and Commercial Buildings at www.epa.gov/mold/mold_remediation.html Opens a New Window. [EPA 402-K-01-001, March 2001]</li> </ul>
Mold Resources are available at <a href="https://www.epa.gov/mold/moldresources.html">www.epa.gov/mold/moldresources.html</a>
Best,
Tricia
On Tue, Oct 3, 2017 at 3:33 PM, Maria Masters ( Ex. 6 Personal Privacy (PP) wrote:
Hi Tricia,

Here are some questions that I was hoping an expert could answer, below. If an expert from the EPA isn't available, and you had another recommendation as to who I could go to, that would be great. Some of this information is hard to find--especially regarding the mold testing. Thanks so much again. Best, Maria 1. What does mold smell like? (Online, this answer tends to be a bit circular--i.e., mold smells like mildew, or mold smells damp.) Is there another way to describe its smell? Can it smell sweet, or does it smell sour? • Is there any example of what mold smells like? I.e., faintly of beer? And does black mold give off the same scent? 2. Is the smell of mold coming from the production of mVOCs? What causes the production of these mVOCs? (Does it come after/as the mold is breaking down organic matter, or is it just a natural byproduct--i.e., an odor that molds give off during their lifetime?) 3. What does mold look like? (Do different species or genus have different colors, or is it hard to distinguish the type without a microscope?) In addition, is it true that molds can range in appearance, and if so, what are their colors and textures? 4. The CDC and EPA says that mold testing isn't usually necessary. Is this correct, and if so, why is it unnecessary to do anything other than visually examine signs of mold? 5. What if you believe that you have hidden sources of mold? What might cause a person to suspect hidden mold, and if so, what type of professional should you call, if you should call anyone? 6. If a wall or floor is covered in mold, how would a person go about either cleaning that of finding a progressional who could do so? Are there any organizations that are certified to perform this work? On Tue, Oct 3, 2017 at 11:50 AM, Maria Masters < Ex. 6 Personal Privacy (PP) wrote: Hi Tricia, Thanks so much--an e-mail interview would also work for me, if that's possible. I'll send over a list of questions soon, though. Thank you again!

On Tue O	ct 3, 2017 at 11:49 AM, Lynn, Tricia < lynn.tricia@epa.gov > wrote:
Hi Maria—	
	much for your inquiry. While I'm happy to check into the possibility of an interview, please not always available.
In either ca	ase, to begin I'll need a list of your specific questions. Can you please supply those at your ear ce?
Thanks so	much,
Tricia	
***************************************	
Tricia Lynr	
Office of P	ublic Affairs
U.S. EPA	
Office: <u>202</u>	<u>.564.2615</u>
From: Mar	ia Masters [mailto: Ex. 6 Personal Privacy (PP)

To the EPA Press Office, My name is Maria Masters, and I'm a health journalist in the NYC area. I'm working on a story for Health.com about mold growth--specifically, what it looks like, smells like, how to test for it, etc. I was hoping to speak to an expert from the EPA for more specific questions about mold that grows indoors and how to get rid of it, and how it might impact a person's health. My deadline is Friday, October 6th, at 5:00 pm. If someone is available, I can call them directly or they can call me on my cell phone: [Ex. 6 Personal Privacy (PP)] I can work around their schedule to the best of my ability. Thanks, Maria

From: Grantham, Nancy [Grantham.Nancy@epa.gov]

**Sent**: 9/25/2017 11:24:23 AM

To: Bowman, Liz [Bowman.Liz@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Graham, Amy

[graham.amy@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud,

Michael [abboud.michael@epa.gov]; Konkus, John [konkus.john@epa.gov]

**Subject**: FW: 9/25 issues

Attachments: 8.3 issues (002) (002) (003) (002) (003) (003) (003) (003) (003) (003) (002) (003) (005).docx

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Ex. 6 Personal Privacy (PP) (mobile)

From: Jackson, Ryan [jackson.ryan@epa.gov]

**Sent**: 4/27/2018 8:51:41 PM

To: Lyons, Troy [lyons.troy@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Gunasekara, Mandy

[Gunasekara.Mandy@epa.gov]; Beck, Nancy [Beck.Nancy@epa.gov]; Brown, Byron [brown.byron@epa.gov]; Baptist,

Erik [Baptist.Erik@epa.gov]; Yamada, Richard (Yujiro) [yamada.richard@epa.gov]; Kelly, Albert

[kelly.albert@epa.gov]; Traylor, Patrick [traylor.patrick@epa.gov]; Greaves, Holly [greaves.holly@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]; Forsgren, Lee [Forsgren.Lee@epa.gov]; Greenwalt, Sarah [greenwalt.sarah@epa.gov];

Bolen, Brittany [bolen.brittany@epa.gov]; Gordon, Stephen [gordon.stephen@epa.gov]; Cook, Steven

[cook.steven@epa.gov]; Darwin, Veronica [darwin.veronica@epa.gov]; Chancellor, Erin [chancellor.erin@epa.gov];

Woods, Clint [woods.clint@epa.gov]; Darwin, Henry [darwin.henry@epa.gov]; Hanson, Paige (Catherine)

[hanson.catherine@epa.gov]; Ford, Hayley [ford.hayley@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Konkus,

John [konkus.john@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]; Hupp, Millan

[hupp.millan@epa.gov]; Palich, Christian [palich.christian@epa.gov]; Ringel, Aaron [ringel.aaron@epa.gov]

**CC**: Dickerson, Aaron [dickerson.aaron@epa.gov]

Subject: based on this afternoon's discussion
Attachments: 2018 2nd QTR Travel - Draft.docx

Let's plan to meet Wednesday next week.

Ryan Jackson Chief of Staff

U.S. Environmental Protection Agency

Ex. 6 Personal Privacy (PP)

Abboud, Michael[abboud.michael@epa.gov]; Baptist, Erik[baptist.erik@epa.gov]; Beck, Nancy[Beck.Nancy@epa.gov]; To: Bennett, Tate[Bennett.Tate@epa.gov]; Bodine, Susan[bodine.susan@epa.gov]; Bolen, Brittany[bolen.brittany@epa.gov]; Bolen, Derrick[bolen.derrick@epa.gov]; Bowman, Liz[Bowman,Liz@epa.gov]; Brown, Byron[brown.byron@epa.gov]; Chmielewski, Kevin[chmielewski.kevin@epa.gov]; Cory, Preston (Katherine)[Cory.Preston@epa.gov]; Darwin, Henry[darwin.henry@epa.gov]; Darwin, Veronica[darwin.veronica@epa.gov]; Dominguez, Alexander[dominguez.alexander@epa.gov]; Dourson, Michael[dourson.michael@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]; Falvo, Nicholas[falvo.nicholas@epa.gov]; Feeley, Drew (Robert)[Feeley.Drew@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Ford, Hayley[ford.hayley@epa.gov]; Forsgren, Lee[Forsgren.Lee@epa.gov]; Fotouhi, David[Fotouhi.David@epa.gov]; Frye, Tony (Robert)[frye.robert@epa.gov]; Gordon, Stephen[gordon.stephen@epa.gov]; Greaves, Holly[greaves.holly@epa.gov]; Greenwalt, Sarah[greenwalt.sarah@epa.gov]; Gunasekara, Mandy[Gunasekara.Mandy@epa.gov]; Harlow, David[harlow.david@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Hupp, Millan[hupp.millan@epa.gov]; Jackson, Ryan[jackson.ryan@epa.gov]; Kelly, Albert[kelly.albert@epa.gov]; Konkus, John[konkus.john@epa.gov]; Letendre, Daisy[letendre.daisy@epa.gov]; Lovell, Will (William)[lovell.william@epa.gov]; Lyons, Troy[lyons.troy@epa.gov]; McMurray, Forrest[mcmurray.forrest@epa.gov]; Munoz, Charles[munoz.charles@epa.gov]; Palich, Christian[palich.christian@epa.gov]; Ringel, Aaron[ringel.aaron@epa.gov]; Rodrick, Christian[rodrick.christian@epa.gov]; Sands, Jeffrey[sands.jeffrey@epa.gov]; Schwab, Justin[Schwab.Justin@epa.gov]; Shimmin, Kaitlyn[shimmin.kaitlyn@epa.gov]; Traylor, Patrick[traylor.patrick@epa.gov]; Wagner, Kenneth[wagner.kenneth@epa.gov]; White, Elizabeth[white.elizabeth@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Yamada, Richard (Yujiro)[yamada.richard@epa.gov]; Benevento, Douglas[benevento.douglas@epa.gov]; Davis, Patrick[davis.patrick@epa.gov]; Glenn, Trey[Glenn.Trey@epa.gov]; Gulliford, Jim[gulliford.jim@epa.gov]; Lopez, Peter[lopez.peter@epa.gov]; Servidio, Cosmo[Servidio.Cosmo@epa.gov]; Stepp,

From: Ford, Hayley[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4748A9029CF74453A20EE8AC9527830C-FORD, HAYLE]

**Sent:** Mon 10/30/2017 4:12:44 PM (UTC) **Subject:** Agency Weekly Report 10.30.17

Weekly Report 10.27.2017.docx

Cathy[stepp.cathy@epa.gov]

See attached for the weekly report.

Thanks!

# Hayley Ford

Deputy White House Liaison and Personal Aide to the Administrator Environmental Protection Agency

ford.hayley@epa.gov Phone: 202-564-2022 Cell: Ex. 6 Personal Privacy (PP) To: matthieu.fauroux@francetv.fr[matthieu.fauroux@francetv.fr] From: Lynn, Tricia[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D8747BA49CDE485EA4AC58DBF09C3DCD-TRICIA SLUSSER] Sent: Fri 10/6/2017 5:49:30 PM (UTC) Subject: RE: French TV / Fact checking on EPA fine Matthieu— Again, for attribution to "an EPA spokesperson:" We are unable to provide any documents, as case documents have been archived at the National Archives and Records Administration. Best, Tricia From: Fauroux Matthieu [mailto:matthieu.fauroux@francetv.fr] Sent: Friday, October 06, 2017 12:13 PM To: Lynn, Tricia Subject: RE: French TV / Fact checking on EPA fine Hello Tricia, Sure not a problem, thank you. Could you please send me whatever public document is available on that case? Best, Matthieu De: Lynn, Tricia [mailto:lynn.tricia@epa.gov] Envoyé: vendredi 6 octobre 2017 18:08 À: Fauroux Matthieu <matthieu.fauroux@francetv.fr> Objet: RE: French TV / Fact checking on EPA fine Matthieu-If attributing, for attribution to "an EPA spokesperson:" We have a record of a LaFarge case from 1993 in Alabama with a penalty of \$594,000. We cannot confirm whether this is the same case referenced in the Washington Post article, however. Best, Tricia Tricia Lynn Office of Public Affairs U.S. EPA

Office: 202.564.2615

From: Fauroux Matthieu [mailto:matthieu.fauroux@francetv.fr]

Sent: Monday, September 25, 2017 11:45 AM

To: Harris-Young, Dawn <Harris-Young.Dawn@epa.gov>; Press <Press@epa.gov>

Seife v. EPA (1:19-cv-05190)

Subject: French TV / Fact checking on EPA fine

Dear Ms. Harris-Young,

My name is Matthieu Fauroux, I am a reporter for the French public TV network "France 2".

I am working on a 52 minutes documentary on the Lafarge company and I would like to double-check an information published by the Washington Post on the EPA, back in 2007, which made the news again during the last American presidential election. According to the WP, on 1990, Lafarge was fined by the EPA to pay a 1.8 M dollar fine, which was later reduced to a 600 K. According to the newspaper, this would be related to its activities in Alabama.

http://www.washingtonpost.com/wp-dyn/content/article/2007/12/08/AR2007120801551.html

Could you please confirm, or deny these allegations?
Who could I reach at the EPA to learn more about this topic?

I thank you very much for your help.

Kind regards, Matthieu Fauroux

+ 33 6 85 22 58 75

Click here to report this email as spam.

**To:** Ivory, Danielle[danielle.ivory@nytimes.com]

Cc: Bowman, Liz[Bowman,Liz@epa.gov]; Grantham, Nancy[Grantham,Nancy@epa.gov]; Wilcox,

Jahan[wilcox.jahan@epa.gov]

From: Vizian, Donna[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=CB2401BF8D4F441DBF27F21E122BE2C5-VIZIAN, DONNA]

**Sent:** Fri 4/27/2018 6:49:48 PM (UTC)

Subject: RE: NYT interview request -- Grosse IIe office

202-564-4600

From: Ivory, Danielle [mailto:danielle.ivory@nytimes.com]

Sent: Friday, April 27, 2018 2:43 PM

To: Vizian, Donna < Vizian. Donna@epa.gov>

Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>

Subject: Re: NYT interview request -- Grosse Ile office

No problem at all. Thanks very much, Donna. What's the best number to call?

On Fri, Apr 27, 2018 at 2:30 PM, Vizian, Donna < Vizian. Donna@epa.gov > wrote:

Danielle,

I apologize for the delay in responding. Would Thursday afternoon at 2:00 work?

Best, Donna

From: danielle.ivory@nytimes.com [mailto:danielle.ivory@nytimes.com]

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Cc: Bowman, Liz < Bowman. Liz@epa.gov>; Grantham, Nancy < Grantham. Nancy@epa.gov>; Wilcox, Jahan

<wilcox.jahan@epa.gov>

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Can I get back to you tomorrow on a day?

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Certainly, does Monday or Tuesday work for you? And thanks very much,

Danielle

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Danielle – I would be happy to share the background, however I am very booked this week. Can we set aside some time next week?

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9.1.2020

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Thanks,

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Thanks,

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Thanks very much,

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The New York Times Office: 212-556-1596 Cell: Ex. 6 Personal Privacy (PP)

Fax: 646-349-2536

PGP Key: 4F0C8AF6FB9B5DBE

Signal encrypted chat: 917-280-2607

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From: Lynn, Tricia [lynn.tricia@epa.gov]

Sent: 10/6/2017 4:07:50 PM

To: matthieu.fauroux@francetv.fr

Subject: RE: French TV / Fact checking on EPA fine

Matthieu—

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Tricia Lynn Office of Public Affairs U.S. EPA Office: 202.564.2615

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Could you please confirm, or deny these allegations?
Who could I reach at the EPA to learn more about this topic?

I thank you very much for your help.

Kind regards, Matthieu Fauroux From: Wilcox, Jahan [wilcox.jahan@epa.gov]

**Sent**: 10/10/2017 9:08:18 PM **To**: Ali.Meyer@KFOR.com

CC: Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Falvo, Nicholas [falvo.nicholas@epa.gov]; Bowman, Liz

[Bowman.Liz@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]

**Subject**: Here's our statement

ON-THE-RECORD STATEMENT ... "It's been over a decade since the President signed a budget passed by Congress, but the fact remains parties that polluted the land are responsible for the clean-up costs." – EPA spokesman, Jahan Wilcox

# Additional Background (not for attribution):

EPA's Superfund, Brownfields, and water infrastructure programs are key to helping bring EPA back its core mission; areas that all fell by the wayside under the Obama administration. We are currently looking for ways to better utilize all available tools and resources to clean up more contaminated lands faster so that communities are made safer and put back into productive use. We have recently made two big announcements on our Superfunds program, including a new <a href="Task Force[epa.gov">Task Force[epa.gov]</a>, and <a href="mailto:a new directive[epa.gov">a new directive[epa.gov]</a> reserving the power to select remedies estimated to cost \$50 million or more with the Administrator, and instructing EPA Regions to work more closely with the Administrator's Office throughout the remedy development process.

The notion that streamlining and improving the Superfund program will somehow lead to less protective or effective cleanups is false. Applicable regulations require us to select remedies that will be protective to human health and the environment based on the anticipated future use of the site and other criteria. That isn't changing as a part of this initiative. Unlike the previous administration that failed to prioritize the Superfund program, Administrator Pruitt is providing real leadership that will lead to better results at Superfund sites across the country.

It's very clear this was not a top-priority, or priority in general, from the previous administration because of the little progress made in eight years. The two common metrics are the number of sites that were deleted from the National Priority List or sites where construction of the remedy has been completed. According to this site <a href="https://www.epa.gov/superfund/deleted-national-priorities-list-npl-sites-deletion-date[epa.gov]">https://www.epa.gov/superfund/deleted-national-priorities-list-npl-sites-deletion-date[epa.gov]</a>, it looks like EPA deleted 60 sites since 2009. Also, according to this

site <a href="https://www.epa.gov/superfund/superfund-remedial-performance-measures#cc">https://www.epa.gov/superfund/superfund-remedial-performance-measures#cc</a> anchor[epa.gov], EPA has completed construction at about 125 sites since 2009.

In Politico Energy, Gina McCarthy recognized that Superfund sites weren't a priority. Her quote makes it sound like this is some old program that no one cares about anymore – but the truth is that a LOT of people care. The people of West Lake care. The people of E. Chicago care. And, Americans deserve better leadership on this program:

"Is EPA supposed to respond and say, 'We're really busy cleaning up Superfund sites from the '60s. We really can't address the problems that you're facing today?" McCarthy added.

<a href="https://www.politicopro.com/energy/story/2017/06/pruitts-predecessors-pan-epa-originalism-philosophy-157849[go.politicoemail.com">https://www.politicopro.com/energy/story/2017/06/pruitts-predecessors-pan-epa-originalism-philosophy-157849[go.politicoemail.com]</a>

# With regard to the Budget:

The proposed budget for EPA is a 31 percent cut, the proposed cut to the Superfund program is 30 percent; or a \$330 million reduction. As the Administrator has said many times, money is not the issue with this program. We believe that with better leadership, and reducing inefficiencies and administrative costs, we can accelerate the pace of the clean-ups. It is also worth noting that we believe there is significant amount of money being wasted in administrative costs in this program (ranging from 28 to 55 percent depending on the region, for prior years, for indirect costs that are loaded as a percentage of direct clean-up costs, such as: administrative matters, personnel matters, guidance development, office utility and supply costs), and we are in the process of trying to identify and reduce these inefficiencies through our Task Force. Of course, some of the oversight costs are probably necessary, but we also know there is a lot of inefficiencies and waste – so that is what we are trying to identify and flush out.

Details on numbers: 1,336 sites on National Priorities List. a site was removed on 5/16 lowering the total by

### **NPL** sites correlated to Presidential Administrations:

1984-538 sites 1988-797 sites (+259 Reagan) 1992-1183 sites (+386 George HW Bush) 1996-1211 sites 2000-1232 sites (+49 Clinton) 2004-1239 sites 2008-1257 sites (+25 George W Bush) 2012-1313 sites 2016-1337 sites (+80 Obama)

# Specific examples:

<u>USS Lead Superfund Site[epa.gov]</u> - East Chicago, Indiana: Administrator Pruitt is the first EPA Administrator to visit East Chicago, which was listed on the National Priorities List of the worst contaminated sites in the country in 2009. One of Pruitt's first trips was to visit the East Chicago Superfund site because he wanted to see and hear first-hand from the people who've been counting on us to help them. He has pledged improved coordination, communication and cleanup of the site working alongside federal, state and local partners. Under Pruitt's leadership, EPA has taken actions to expedite cleanup, and EPA announced the creation of a community involvement coordinator to serve as a director point of contact for East Chicago residents. At East Chicago: EPA cleaned up 50 properties in 2016, 200 properties in 2017 and anticipates cleaning up 400 more properties in 2018 and 2019, excluding the housing complex property in zone 1.

West Lake Landfill Superfund Site[epa.gov] – Bridgeton, Missouri: This site has been on the National Priorities List (NPL) for 28 years. Administrator Pruitt has committed to a solution within a few months. While this is not finished even once a decision is made, it shows action to solve a problem that no one else has addressed in almost two decades. While we are still working through a solution, we are committed to getting this matter resolved.

The Anaconda Copper Mine[cumulis.epa.gov] – Nevada: This site was not put on the NPL list because a private/state solution was proposed. Administrator Pruitt met with Nevada Gov. Sandoval about the site to discuss brokering a deal with the PRP (Potentially Responsible Parties) to get the site cleaned up without having to have it added to the NPL – showing deference to the state and governor, and showing cooperative federalism.

###

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: [EX. 6 Personal Privacy (PP)]
Work Email: wilcox.jahan@epa.gov

To: Eugene.Gilligan@acuris.com[Eugene.Gilligan@acuris.com]  From: Lynn, Tricia[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D8747BA49CDE485EA4AC58DBF09C3DCD-TRICIA SLUSSER]  Sent: Thur 9/28/2017 6:59:25 PM (UTC)  Subject: RE: WIFIA projects
Gene—
If attributing, for attribution to "an EPA spokesperson:"
Again, no loan funding has been received by any WIFIA project. No final decisions have been made as to whether individual projects will or will not receive loans, including any of the four in California.
Best,
Tricia
From: Eugene Gilligan [mailto:Eugene.Gilligan@acuris.com]  Sent: Thursday, September 28, 2017 1:42 PM  To: Lynn, Tricia < lynn.tricia@epa.gov >  Subject: RE: WIFIA projects
Hi, Tricia:
Just checking on something one of our sources told us. The source said that 3 projects in California had received WIFIA funding, for a total of \$700 million. That would seem to eliminate the last project, the San Francisco Southeast Water Pollution Control project in San Francisco.
Can you provide any guidance on this?
Thank you,
Gene
From: Lynn, Tricia [mailto:lynn.tricia@epa.gov] Sent: Thursday, September 28, 2017 11:51 AM To: Eugene Gilligan < Eugene.Gilligan@acuris.com > Subject: RE: WIFIA projects
Hi Gene—
Please see below for EPA's response to your inquiry. If attributing, please attribute to "an EPA spokesperson:"
Best,
Tricia
Tricia Lynn Office of Public Affairs U.S. EPA Office: 202.564.2615

The WIFIA program is inviting 12 entities with projects in nine states to apply for more than \$2 billion in Water Infrastructure Finance and Innovation Act (WIFIA) loans. (See <a href="https://www.epa.gov/wifia/wifia-fy-2017-letters-interest-and-selected-projects#selectedprojects">https://www.epa.gov/wifia/wifia-fy-2017-letters-interest-and-selected-projects#selectedprojects</a>.) Among them, the WIFIA program invited 4 entities with projects in California to apply for loans. (See below)

EPA has not yet closed any of the 12 loans. After an invitee applies for WIFIA credit assistance, the WIFIA program conducts a detailed financial and engineering review in order to develop the terms and conditions for the project. Once a mutually agreeable term sheet is developed, the Administrator approves the loan and executes the term sheet. Based on the term sheet, the WIFIA program finalizes the terms of credit assistance. At closing, the Administrator and the borrower execute the credit agreement, which is the binding legal document that allows the borrower to receive WIFIA funds.

## California Projects Invited to Apply for WIFIA credit assistance:

Project Name	Borrower	Requeste
Groundwater Replenishment System Final Expansion	Orange County Water District (California)	\$124 milli
Pure Water San Diego	City of San Diego (California)	\$492 mill
Water Reclamation Facility Project	City of Morro Bay (California) (Small Community)	\$82 millic
Southeast Water Pollution Control Plant Biosolids Digester Facilities Project	San Francisco Public Utilities Commission (California)	\$625 milli

## California

Groundwater Replenishment System Final Expansion (Orange County, California) (PDF)(1 pg, 178 K)

Pure Water San Diego (San Diego, California) (PDF)(1 pg, 178 K)

Southeast Water Pollution Control Plant Biosolids Digester Facilities Project (San Francisco, California) (PDF)(1 pg, 230 K)

Water Reclamation Project (Morro Bay, California) (PDF)(1 pg, 619 K)

**From:** Eugene Gilligan [mailto:Eugene.Gilligan@acuris.com]

Sent: Wednesday, September 27, 2017 4:21 PM

Seife v. EPA (1:19-cv-05190)

9.1.2020

ED\_003047\_00005994-00002

To: Lynn, Tricia < lynn.tricia@epa.gov> Subject: RE: WIFIA projects Hi, Tricia: Sorry to get back so late to you. I am wondering if you can provide the names of the water projects that received WIFIA funding in California. I understand that there are three of them. Thanks, I don't know if it's possible, but if I can get an answer to this today, that would be great. Thanks very much. Gene From: Lynn, Tricia [mailto:lynn.tricia@epa.gov] Sent: Wednesday, September 27, 2017 8:16 AM To: Eugene Gilligan < Eugene. Gilligan@acuris.com> Subject: RE: WIFIA projects Hi Gene-I see that you wrote to Enesta looking for an answer last night. Do you still want a response? If so, what's your hard deadline? Thanks! --Tricia From: Jones, Enesta Sent: Wednesday, September 27, 2017 7:33 AM To: Eugene Gilligan < <a href="mailto:Eugene.Gilligan@acuris.com">Eugene.Gilligan@acuris.com</a>> Cc: Lynn, Tricia < lynn.tricia@epa.gov> Subject: Re: WIFIA projects Hi Eugene, Tricia Lynn, copied here, will be in touch. On Sep 26, 2017, at 5:02 PM, Eugene Gilligan < <a href="mailto:Eugene.Gilligan@acuris.com">Eugene.Gilligan@acuris.com</a>> wrote: Hi, Enesta: funding. I understand that all of the projects are located in California. Thanks, if it would be possible to get this information today, that would be great.

I hope you are well. I am checking to see if you might be able to provide any information on the projects that were granted WIFIA

Best,

Gene

Eugene Gilligan Senior Reporter Inframation-An Acuris company D: 646-412-5321 M: Ex. 6 Personal Privacy (PP) Inframationgroup.com

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From: Lynn, Tricia [lynn.tricia@epa.gov]

Sent: 9/22/2017 2:23:38 PM

To: ed.sullivan@tradepress.com

Subject: RE: Energy Star 2017 budget

Hi Ed-

For attribution to "an EPA spokesperson:"

The FY 2017 budget for Energy Star is \$42.1 Million.

Best,

Tricia

Tricia Lynn Office of Public Affairs U.S. EPA

Office: 202.564.2615

From: Ed Sullivan < <a href="mailto:ed.sullivan@tradepress.com">ed.sullivan@tradepress.com</a>>
Date: September 21, 2017 at 3:00:35 PM EDT

To: jones.enesta@epa.gov

Subject: Energy Star 2017 budget

Enesta,

I'm writing a short piece about the Energy Star budget in the appropriations package passed by the House. Can you tell me the Energy Star program budget for 2017?

Thanks for your help.

Ed

---

Edward Sullivan Editor, Building Operating Management 414.228.7701, ext. 451 edward.sullivan@tradepress.com

From: Lynn, Tricia [lynn.tricia@epa.gov]

**Sent**: 9/7/2017 2:35:57 PM

To: laura.mojonnier@argusmedia.com
Subject: RE: Senator Carper's letter to EPA

Hi Laura-

For attribution to "an EPA spokesperson:"

We have just received the letter and are reviewing it. We will respond through the proper channel.

Best,

Tricia

Tricia Lynn Office of Public Affairs U.S. EPA

Office: 202.564.2615

From: Jones, Enesta

Sent: Thursday, September 07, 2017 10:22 AM

To: Laura Mojonnier < laura.mojonnier@argusmedia.com>

Cc: Press < Press@epa.gov>

Subject: Re: Senator Carper's letter to EPA

Laura, a colleague will be in touch.

On Sep 7, 2017, at 10:21 AM, Laura Mojonnier < laura.mojonnier@argusmedia.com > wrote:

Hi Enesta,

I was wondering if EPA had any comment on Senator Carper's letter to Administrator Pruitt, over Clean Water Rule data? Here's the letter for reference: <a href="https://www.epw.senate.gov/public/cache/files/2/e/2e67da92-19ad-4ae4-b4bb-c07c99d4c779/E2981B00AD67A8E6E5C3A454B93EF850.carper-questions-epa-on-verbal-direction-to-delete-economic-data-in-clean-water-rule-rewrite.pdf">https://www.epw.senate.gov/public/cache/files/2/e/2e67da92-19ad-4ae4-b4bb-c07c99d4c779/E2981B00AD67A8E6E5C3A454B93EF850.carper-questions-epa-on-verbal-direction-to-delete-economic-data-in-clean-water-rule-rewrite.pdf</a>

Thanks, Laura Mojonnier

Laura Mojonnier Markets Reporter Argus Media

www.argusmedia.com Direct: +1 202 349 2881

Email: laura.mojonnier@argusmedia.com

Skype ID: argus\_lauramojonnier

<image001.jpg>

Argus Media Tel: <u>+ 1 202 775 0240</u> | Fax: <u>+1 202 872 8045</u> Argus Media Ltd., 1667 K Street NW, Suite 1150, Washington, DC 20006

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From: Lynn, Tricia [lynn.tricia@epa.gov]

 Sent:
 9/20/2017 8:58:34 PM

 To:
 Ex. 6 Personal Privacy (PP)

Subject: Re: Media request -- data on lead contamination near public housing sites?

Hi Rebecca-

Again, for attribution to "an EPA spokesperson:"

You are correct: we made an error in our initial response. Here is our correction, highlighted in yellow:

As of May 2017, when we most recently conducted this analysis, there were 669 National Priorities List (including proposed, current and deleted sites) and Superfund Alternative Approach sites with a HUD public housing or HUD-subsidized multifamily building within a 1-mile radius. The total number of NPL (including proposed, current and deleted sites) and SAA sites at that time was 1,850. That means that 36 percent of NPL and SAA sites are within a 1-mile radius of a HUD building.

Regarding your question about prioritized sites following the May 2017 review, here is where EPA has prioritized action:

- Beck's Lake: Expedited sampling and expanded sampling area to adjacent public housing.
- <u>Former Chattanooga Foundries/Southside Chattanooga</u>: Expedited sampling at public housing suspected to be impacted by release. EPA found no contamination and notified residents.

Best,

Tricia

From: Rebecca Burns [mailto: Ex. 6 Personal Privacy (PP)

Sent: Tuesday, September 19, 2017 3:49 PM

To: Lynn, Tricia < lynn.tricia@epa.gov>

Subject: Re: Media request -- data on lead contamination near public housing sites?

Thank you, Tricia! Just to clarify: You mean that 36 percent of the NPL/ SAA sites are within a 1-mile radius of a HUD building, correct?

And I do have an additional question: Following this May 2017 review, has the EPA identified any particular sites where it will prioritize investigation or clean-up because of proximity to a public housing site?

On Tue, Sep 19, 2017 at 1:56 PM, Lynn, Tricia < lynn.tricia@epa.gov> wrote:

Hi Rebecca-

If attributing, please attribute to "an EPA spokesperson:"

As of May 2017, when we most recently conducted this analysis, there were 669 National Priorities List (including proposed, current and deleted sites) and Superfund Alternative Approach sites with a HUD public housing or HUD-subsidized multifamily building within a 1-mile radius. The total number of NPL (including proposed, current and deleted sites) and Superfund Alternative Approach sites at that time was 1,850. That means that 36 percent of these HUD buildings are within a 1-mile radius of an NPL or SAA site.
Here are the data resources we used for this analysis:
<ul> <li>HUD data:         <ul> <li>HUD buildings: <a href="https://egis-hud.opendata.arcgis.com/datasets/52a6a3a2ef1e4489837f97dcedaf8e27_0">https://egis-hud.opendata.arcgis.com/datasets/egis-hud.opendata.arcgis.com/datasets/83d334f8b4614cce9e67b0e0a1105520_0</a></li> </ul> </li> <li>EPA used a dataset of Superfund site boundaries that has not yet been cleared for public release. In the interim, we are providing point data below.</li> </ul>
Additional resources:
<ul> <li>Superfund locations point data: <a href="https://www.epa.gov/superfund/superfund-data-and-reports">https://www.epa.gov/superfund/superfund-data-and-reports</a>. Under Search for SEMS reports, search for List 8R Active Site Inventory.</li> <li>EJSCREEN         <ul> <li>Go to <a href="https://ejscreen.epa.gov/mapper/">https://ejscreen.epa.gov/mapper/</a></li> <li>Go to Add Maps &gt; Additional Maps &gt; Public Housing</li> <li>Go to Add Maps &gt; Additional Maps &gt; EJSCREEN Environmental Sites &gt; Click Superfund (NPL) box on right side of page</li> </ul> </li> </ul>
Best,
Tricia
Tricia Lynn
Office of Public Affairs
U.S. EPA

Office: 202.564.2615 From: Rebecca Burns < Ex. 6 Personal Privacy (PP) Date: September 18, 2017 at 9:58:40 AM PDT To: woolford.james@epa.gov Subject: Media request -- data on lead contamination near public housing sites? Hi James, I'm a reporter for In These Times magazine, and I am working on a story about lead contamination in East Chicago. I saw that EPA and HUD recently entered into an MOU regarding increased communication about HUD housing sited near Superfund sites. I also saw reference to a data analysis determining that a majority of sites on the National Priorities List are located within a mile of low-income housing. I would like to review this data for my story. I'm wondering if you could tell me whether it is publicly available at this time? Thanks in advance for your help. All best, Rebecca Burns

781-962-8816

From: Grantham, Nancy [Grantham.Nancy@epa.gov]

**Sent**: 8/30/2017 12:29:18 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Graham, Amy

[graham.amy@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud,

Michael [abboud.michael@epa.gov]; Konkus, John [konkus.john@epa.gov]

Subject: FW: 8.30 issues

Attachments: 8.3 issues (002) (002) (003) (002) (003) (002) (003) (002) (003).docx

Nancy Grantham Office of Public Affairs US Environmental Protection Agency 202-564-6879 (desk)

Ex. 6 Personal Privacy (PP) (MODILE)

From: Lynn, Tricia [lynn.tricia@epa.gov]

Sent: 8/23/2017 8:47:27 PM
To: sokeson@dcreport.or
Subject: RE: media question

Sarah-

For attribution to "an EPA spokesperson:"

EPA continues to evaluate the science and consider the input from our stakeholders to assess potential revisions to the Lead and Copper Rule that would improve public health protection. EPA is also evaluating the costs and benefits of these potential proposed revisions. The regulatory agenda reflects the current expectations for when this important analysis will be ready to inform decision making.

For more information please click here https://www.epa.gov/dwreginfo/lead-and-copper-rule

Best,

Tricia

Tricia Lynn Office of Public Affairs U.S. EPA

Office: 202.564.2615

----Original Message-----

From: Sarah Okeson [mailto:sokeson@dcreport.org]

Sent: Wednesday, August 23, 2017 2:34 PM

To: Press < <u>Press@epa.gov</u>> Subject: media question

What is the timetable for updating the rule on lead and copper in drinking water?

Sarah Okeson

DCReport.org

417-379-2240

From: Grantham, Nancy [Grantham.Nancy@epa.gov]

**Sent**: 8/29/2017 11:18:53 AM

To: Bowman, Liz [Bowman.Liz@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Graham, Amy

[graham.amy@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud,

Michael [abboud.michael@epa.gov]; Konkus, John [konkus.john@epa.gov]

**Subject**: FW: 8/29 issues

Attachments: 8.3 issues (002) (002) (003) (002) (002) (003) (002).docx

# Nancy Grantham Office of Public Affairs US Environmental Protection Agency 202-564-6879 (desk)

Ex. 6 Personal Privacy (PP) (mobile)

From: Grantham, Nancy

Sent: Tuesday, August 29, 2017 7:13 AM

**To:** Treimel, Ellen <Treimel.Ellen@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Reeder, John <Reeder.John@epa.gov>; Flynn, Mike <Flynn.Mike@epa.gov>; Fonseca, Silvina <Fonseca.Silvina@epa.gov>

Cc: Grantham, Nancy < Grantham. Nancy@epa.gov>

Subject: 8/29 issues

To: Biesecker, Michael[MBiesecker@ap.org]

Cc: Bowman, Liz[Bowman.Liz@epa.gov]; Graham, Amy[graham.amy@epa.gov]

From: Wilcox, Jahan[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]

Sent: Mon 8/28/2017 9:07:02 PM (UTC)
Subject: RE: FDIC action against Kell Kelly

I don't have the authority to speak on the record to this question. I have steered you to the answer and also gave a statement on background. If you have to say that we declined to comment, I understand.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

**Sent:** Monday, August 28, 2017 5:03 PM **To:** Wilcox, Jahan < wilcox.jahan@epa.gov>

Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Graham, Amy <graham.amy@epa.gov>

Subject: RE: FDIC action against Kell Kelly

I really appreciate that Jahan. I'm not trying to be difficult. My employer has rules on sourcing that I have to follow, and I recognize that other media outlets have different rules. We can cite named sources in other media outlets, if they are unavailable to us. But I can't cite someone else's unnamed source.

I'd really like to put this in the story, but it needs to be from a named source.

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

**Sent:** Monday, August 28, 2017 4:53 PM

**To:** Biesecker, Michael

**Cc:** Bowman, Liz; Graham, Amy

Subject: RE: FDIC action against Kell Kelly

Then please cite the Oklahoman, which I have seen the AP do (for other outlets) if you want. I was trying to be helpful.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

**Sent:** Monday, August 28, 2017 4:36 PM **To:** Wilcox, Jahan <wilcox.jahan@epa.gov>

Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Graham, Amy <graham.amy@epa.gov>

Subject: RE: FDIC action against Kell Kelly

AP rules on quoting unnamed sources say I have to cite a reason the official speaking requested and was granted anonymity, otherwise I can't use it. Are you not authorized to speak on this issue?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

**Sent:** Monday, August 28, 2017 4:35 PM

To: Biesecker, Michael

Cc: Bowman, Liz; Graham, Amy

Subject: RE: FDIC action against Kell Kelly

Sure. For attribution from an EPA official ...

"Kelly told senior officials about his FDIC matter. Kelly will remain in his paid position as a senior advisor to Pruitt," said an EPA official.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Monday, August 28, 2017 4:29 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>

Cc: Bowman, Liz < Bowman.Liz@epa.gov>; Graham, Amy < graham.amy@epa.gov>

Subject: RE: FDIC action against Kell Kelly

Thanks. Would really prefer not to quote the Oklahoman saying what EPA said. Can't you guys just say the same thing to AP?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

**Sent:** Monday, August 28, 2017 4:28 PM

**To:** Biesecker, Michael

**Cc:** Bowman, Liz; Graham, Amy

**Subject:** RE: FDIC action against Kell Kelly

Question 1 – Would refer you to this line in the Oklahoman: "The EPA said Kelly told senior officials about his FDIC

matter. Kelly will remain in his paid position as a senior adviser to Pruitt."

http://newsok.com/article/5561650

Question 2 - Checking. Can I get back to you by 5p. Moving as fast as I can on this and I know you are on deadline.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

**Sent:** Monday, August 28, 2017 4:06 PM **To:** Wilcox, Jahan < wilcox.jahan@epa.gov>

Cc: Bowman, Liz <Bowman, Liz@epa.gov>; Graham, Amy <graham.amy@epa.gov>

Subject: RE: FDIC action against Kell Kelly

Just to confirm, you are OK with me reporting that EPA declined to answer whether Administrator Pruitt knew about FDIC's pending action against Kelly when he hired him as a senior adviser.

As to this part of Jackson's quote: "Spirit would confirm that at no point in Kell's service did he take any action which threatened the bank."

I called the bank and spoke with Joyce Nadell, the executive VP. They declined to offer any such statement. Do you have anything else to back up the contention that Kell's actions didn't endanger the bank?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

**Sent:** Monday, August 28, 2017 3:43 PM

To: Biesecker, Michael

Cc: Bowman, Liz; Graham, Amy

Subject: RE: FDIC action against Kell Kelly

Below is a statement from both Frank Keating, former Oklahoma Governor and former CEO of the ABA and Ryan Jackson, EPA CoS.

"Kell Kelly is a man of high integrity. During my time as CEO of the American Bankers Association, Mr. Kelly served as my chairman and helped lead the association through a difficult period following 2008 financial crisis; Administrator Pruitt is fortunate to have him," said Frank Keating, former Oklahoma governor and former CEO of the American Bankers Association.

"Kell Kelly retired from Spirit Bank after 34 years serving as executive vice president and ultimately CEO to join EPA as Administrator Pruitt's principal advisor leading an effort to finance and clean up the nation's worst contaminated sites. Upon leaving, Spirit Bank requested that Kell remain on its board of directors which Kell declined due to full time employment in Washington, D.C. Spirit would confirm that at no point in Kell's service did he take any action which threatened the bank. Kell has received full ethics and financial disclosure training as any EPA political appointee and senior official receives. I have personally known Kell for a number of years. EPA is fortunate to have him as part of our team. He has already contributed immensely to the Administrator's agenda to speed up remediation timelines. He has already gained the respect of the EPA career staff, and being responsible for hiring political appointees at EPA, I was eager to report to Administrator Pruitt we had brought Kell on our team." – Ryan Jackson, EPA Chief of Staff

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Monday, August 28, 2017 2:28 PM
To: Wilcox, Jahan < wilcox.jahan@epa.gov >
Subject: RE: FDIC action against Kell Kelly

Thanks much.

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

**Sent:** Monday, August 28, 2017 2:28 PM

To: Biesecker, Michael

**Subject:** RE: FDIC action against Kell Kelly

Hopefully. I am working on this right now.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Monday, August 28, 2017 2:26 PM
To: Wilcox, Jahan < wilcox.jahan@epa.gov >
Subject: RE: FDIC action against Kell Kelly

Can you get me something by 4?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

**Sent:** Monday, August 28, 2017 2:24 PM **To:** Biesecker, Michael; Bowman, Liz **Subject:** RE: FDIC action against Kell Kelly

What is your deadline? Let me find these answers and get back to you.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

Sent: Monday, August 28, 2017 2:19 PM

To: Bowman, Liz < Bowman.Liz@epa.gov>; Wilcox, Jahan < wilcox.jahan@epa.gov>

Subject: FDIC action against Kell Kelly

Liz, Jahan,

AP is doing something short on the FDIC fine and banking ban against Kell Kelly after he "engaged or participated in a violation of law or regulation, unsafe or unsound practice, and/or breach of fiduciary duty" at SpiritBank in Tulsa.

Does Kelly have any response to the FDIC's action against him? EPA comment?

Also, please answer whether Scott Pruitt was aware of the pending FDIC action against Kelly when he hired him at EPA.

Writing for today.

Thanks,

Michael



ASSOCIATED PRESS

**Michael Biesecker** 

1100 13 St. NW, Suite 700

Seife v. EPA (1:19-cv-05190)

9.1.2020 ED\_003047\_00006050-00003

Reporter

mbiesecker@ap.org Twitter: @mbieseck

Public Key

Washington, D.C. 20005-4076

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"I go with Custer and will be at the death." - AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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From: Wilcox, Jahan [wilcox.jahan@epa.gov]

**Sent**: 8/28/2017 8:52:34 PM

**To**: Biesecker, Michael [MBiesecker@ap.org]

CC: Bowman, Liz [Bowman.Liz@epa.gov]; Graham, Amy [graham.amy@epa.gov]

Subject: RE: FDIC action against Kell Kelly

Then please cite the Oklahoman, which I have seen the AP do (for other outlets) if you want. I was trying to be helpful.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

**Sent:** Monday, August 28, 2017 4:36 PM **To:** Wilcox, Jahan <wilcox.jahan@epa.gov>

Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Graham, Amy <graham.amy@epa.gov>

Subject: RE: FDIC action against Kell Kelly

AP rules on quoting unnamed sources say I have to cite a reason the official speaking requested and was granted anonymity, otherwise I can't use it. Are you not authorized to speak on this issue?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

Sent: Monday, August 28, 2017 4:35 PM

To: Biesecker, Michael

Cc: Bowman, Liz; Graham, Amy

Subject: RE: FDIC action against Kell Kelly

Sure. For attribution from an EPA official ...

"Kelly told senior officials about his FDIC matter. Kelly will remain in his paid position as a senior advisor to Pruitt," said an EPA official.

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Cc: Bowman, Liz; Graham, Amy

Subject: RE: FDIC action against Kell Kelly

Question 1 – Would refer you to this line in the Oklahoman: "The EPA said Kelly told senior officials about his FDIC matter. Kelly will remain in his paid position as a senior adviser to Pruitt."

http://newsok.com/article/5561650

Question 2 – Checking. Can I get back to you by 5p. Moving as fast as I can on this and I know you are on deadline.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]

**Sent:** Monday, August 28, 2017 4:06 PM **To:** Wilcox, Jahan < wilcox.jahan@epa.gov >

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Subject: RE: FDIC action against Kell Kelly

Just to confirm, you are OK with me reporting that EPA declined to answer whether Administrator Pruitt knew about FDIC's pending action against Kelly when he hired him as a senior adviser.

As to this part of Jackson's quote: "Spirit would confirm that at no point in Kell's service did he take any action which threatened the bank."

I called the bank and spoke with Joyce Nadell, the executive VP. They declined to offer any such statement. Do you have anything else to back up the contention that Kell's actions didn't endanger the bank?

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To: Biesecker, Michael

Cc: Bowman, Liz; Graham, Amy

Subject: RE: FDIC action against Kell Kelly

Below is a statement from both Frank Keating, former Oklahoma Governor and former CEO of the ABA and Ryan Jackson, EPA CoS.

"Kell Kelly is a man of high integrity. During my time as CEO of the American Bankers Association, Mr. Kelly served as my chairman and helped lead the association through a difficult period following 2008 financial crisis; Administrator Pruitt is fortunate to have him," said Frank Keating, former Oklahoma governor and former CEO of the American Bankers Association.

"Kell Kelly retired from Spirit Bank after 34 years serving as executive vice president and ultimately CEO to join EPA as Administrator Pruitt's principal advisor leading an effort to finance and clean up the nation's worst contaminated sites. Upon leaving, Spirit Bank requested that Kell remain on its board of directors which Kell declined due to full time employment in Washington, D.C. Spirit would confirm that at no point in Kell's service did he take any action which threatened the bank. Kell has received full ethics and financial disclosure training as any EPA political appointee and senior official receives. I have personally known Kell for a number of years. EPA is fortunate to have him as part of our team. He has already contributed immensely to the Administrator's agenda to speed up remediation timelines. He has already gained the respect of the EPA career staff, and being responsible for hiring political appointees at EPA, I was eager to report to Administrator Pruitt we had brought Kell on our team." — Ryan Jackson, EPA Chief of Staff

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Subject: RE: FDIC action against Kell Kelly

Can you get me something by 4?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]

**Sent:** Monday, August 28, 2017 2:24 PM **To:** Biesecker, Michael; Bowman, Liz **Subject:** RE: FDIC action against Kell Kelly

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Subject: FDIC action against Kell Kelly

Liz, Jahan,

AP is doing something short on the FDIC fine and banking ban against Kell Kelly after he "engaged or participated in a violation of law or regulation, unsafe or unsound practice, and/or breach of fiduciary duty" at SpiritBank in Tulsa.

Does Kelly have any response to the FDIC's action against him? EPA comment?

Also, please answer whether Scott Pruitt was aware of the pending FDIC action against Kelly when he hired him at EPA.

Writing for today.

Thanks,

Michael

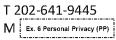


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Michael Biesecker Reporter 1100 13 St. NW, Suite 700 Washington, D.C. 20005-4076

# mbiesecker@ap.org Twitter: @mbieseck

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Michael



Michael Biesecker

Reporter

mbiesecker@ap.org Twitter: @mbieseck

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From: Baptist, Erik [baptist.erik@epa.gov]

Sent: 8/25/2017 4:15:13 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]

Subject: FW: Politico: Morning Energy: Texas braces for fearsome Hurricane Harvey, 8/25/17

Liz, is this newsworthy for a quick press statement? Something along the lines of **Ex. 5 Deliberative Process (DP)** Ex. 5 Deliberative Process (DP)

# **Erik Baptist**

Senior Deputy General Counsel Office of General Counsel U.S. Environmental Protection Agency 1200 Pennsyvlania Ave., NW Washington, DC 20460 (202) 564-1689 baptist.erik@epa.gov

From: Sparacino, Jessica

**Sent:** Friday, August 25, 2017 10:13 AM

To: AO OPA OMR CLIPS <AO\_OPA\_OMR\_CLIPS@epa.gov>

Subject: Politico: Morning Energy: Texas braces for fearsome Hurricane Harvey, 8/25/17

This article quotes a piece of spam at face value. (Highlighted in green.) The spam e-mail is at the bottom of this e-mail.

**Politico** 

https://www.politicopro.com/tipsheets/morning-energy/2017/08/texas-braces-for-fearsome-hurricane-harvey-

024397

Texas braces for fearsome Hurricane Harvey

By: Anthony Adragna, Annie Snider and Ben Lefebvre, 8/25/17, 5:41 a.m.

HARVEY MESSES WITH TEXAS: Hurricane Harvey is closing in on the Texas coast, with the bullseye painted right on Corpus Christi. The storm will be the first to hit the Texas coast since the Category 4 Hurricane Ike slammed into Houston in September 2008. Harvey looks likely to reach at least Category 3 by the time it makes landfall early Saturday, according to forecasts. It has already caused BP, Exxon Mobil, Anadarko and other oil companies to evacuate their deepwater rigs. BSEE estimated the shutdowns took 10 percent of the Gulf of Mexico's oil production offline as of midday on Thursday, and that number is only likely to be higher when the agency's next bulletin comes out later today. Harvey will also throw a wrench into U.S. oil exports, much of which leaves the country via Corpus.

Harvey could prove to be the first big test of FEMA's new head, Brock Long, who won Senate confirmation in June. FEMA set up an Incident Support Base at near Seguin, Texas, complete with supplies, a spokeswoman said, but so far there have been no requests for support.

Bolstering the case for the Ike Dike? The petrochemical and refining operations around Galveston and the Houston Ship Channel aren't expected to be at the epicenter of this storm, as of Thursday's forecast, but emergency planners there have been worrying ever since Hurricane Ike inflicted \$29.5 billion in damages and killed 74 people in 2008. Texas politicians and business leaders have been pushing the idea of a massive seawall to protect Galveston and Houston, and in April asked President Donald Trump for \$15 billion for the project. Hurricane Harvey could help them continue to make the case as they fight for federal funding. But environmental groups are wary of the effort, dubbed the "Ike Dike,"

arguing it could hugely alter the salinity patterns and block key fish species in Galveston Bay, where millions of dollars, including money related to the 2010 Deepwater Horizon oil spill, have been spent on environmental restoration.

What about New Orleans? A dozen years after Hurricane Katrina ravaged the city, the Big Easy may not be prepared to handle heavy rains this time around with three of five turbines that power drainage pumps for the low-lying city not working, the New Orleans Advocate <u>reports</u>. In addition, 15 of the city's 120 water pumps are offline as the city braces for between five and 10 inches of rain.

Reupping: How bad can it get for Houston? This bad.

**TGIF EVERYBODY!** I'm your host Anthony Adragna, and Parametrix's Dwight Miller correctly identified Tonga as the country that once issued banana-shaped stamps. For today: Who is the oldest still-living former U.S. governor? Send your tips, energy gossip and comments to <a href="mailto:aadragna@politico.com">aadragna@politico.com</a>, or follow us on Twitter @AnthonyAdragna, @Morning Energy, and @POLITICOPro.

**PROGRAMMING NOTE:** Morning Energy will not publish from Aug. 28-Sept. 4. Our next Morning Energy newsletter will publish on Sept. 5. Please continue to follow Pro Energy issues here.

**REPORT: THREE MONUMENTS IN BULLS EYE:** Interior Secretary Ryan Zinke didn't make public his report on what to do with 22 national monuments under review, but his recommendations call for shrinking three of the most controversial sites — Bears Ears and Grand Staircase-Escalante monuments in Utah and Cascade-Siskiyou in Oregon, the Washington Post <u>reports</u>, citing "multiple individuals briefed on the decision." Remember a final decision to reduce the size of any of the national monuments will be almost immediately challenged by environmental and conservation groups, as well as sympathetic attorneys general.

Groups slammed the decision by the Interior Department not to release the draft report, and the complaints grew louder throughout the day Thursday. "This summary is not transparent and this is not how our government should do business," Sen. Tom Udall (D-N.M.) said in a statement. "The American people have the right to see his entire report. A proposal to strip protections from public lands should be made public immediately," Sen. Dianne Feinstein (D-Calif.) added in her own statement. The Center for Biological Diversity announced it had already filed a FOIA request for the document.

One monument spared: A source briefed on Zinke's decision told the <u>Bangor Daily News</u> the draft recommends keeping the Katahdin Woods and Waters National Monument intact while making "some changes on allowable uses." That goes against the wishes of bombastic Maine Gov. Paul LePage, who urged Congress and the Trump administration to <u>undo the designation</u>.

**READY, STEADY, CAN DOE GO?** It's unclear whether any of the recommendations from Energy Secretary's Rick Perry much-anticipated grid study have legs, but that answer may depend on how much weight the administration throws behind them, Pro's Darius Dixon reports. "If these recommendations, as a suite, are something that the administration really wants to do, someone in the White House is going to have to quarterback that," said Greg Gershuny, who served as chief of staff in DOE's Energy Policy and Systems Analysis office during the Obama administration. "How engaged Perry is and how many times a week he's going to the Hill and talking to other agency heads is going to tell us a lot about how serious they are about this."

Four issues Darius suggests watching: Efforts to have FERC "expedite" its work to reformulate how electricity markets pay power generators; research and development dollars toward grid reliability, which the Trump administration's first budget suggested cutting deeply; a push to speed and reduce the cost of "licensing, relicensing, and permitting of grid infrastructure" and calls for EPA to revisit its New Source Review permitting program that requires power plants to tighten emissions controls when they upgrade. A caution: Several of those issues have proven to be thorny matters for agencies to address over several administrations.

**API SOUNDS WARNING ON NAFTA:** In <u>an op-ed</u> published Thursday, the American Petroleum Institute's Jack Gerard urged the Trump administration not to tinker with key energy trade provisions as it worked to negotiate NAFTA. "By

Seife v. EPA (1:19-cv-05190) 9.1.2020 ED\_003047\_00006077-00002

maintaining successful provisions on zero tariffs, market access, trade liberalization and strong investment protection, the Trump administration can modernize NAFTA without jeopardizing energy trade flows," he wrote. Among the mostwatched provisions, Gerard voiced strong support for preserving the investor-state dispute settlement provision, which he said is "a neutral arbitration system for enforcing these protections, safeguarding American investments."

ACCESS DENIED: EPA leadership has adopted a new social media policy that will see employees barred from accessing many popular sites, according to an email from the agency's human resources office obtained by ME. "Due to recent events in the news we are going to start blocking many of the popular social media sites for employees who do not need them for justified, business purposes," it says. Employees must now complete a mandatory survey on their behavior before a default block takes effect.

MORE GROUPS OPPOSE CLOVIS: Dozens of environmental and food groups are out this morning with <u>a letter</u> urging senators to oppose Sam Clovis' nomination to be USDA's chief scientist. "Without competent, science-based leadership, the USDA will be unable to protect our environment and help thousands of farmers and their communities adapt to these worsening burdens," the letter, led by Friends of the Earth and the Health, Environment, Agriculture, Labor Food Alliance, says. The groups argue the nomination of Clovis, who lacks any formal scientific training, also violates the law.

REPORT: DEMOCRAT BACKS BLM MOVE WEST: Sen. Michael Bennet became the latest Colorado politician to back moving three federal agencies — the Bureau of Land Management, the Bureau of Reclamation and the U.S. Fish and Wildlife Service — to the Denver area, according to a report in Western Wire, a project of the Western Energy Alliance. "I think anything we can get out of Washington, D.C. and into Colorado, I'm for," the Democrat said. Republican Sen. Cory Gardner and Gov. John Hickenlooper are among the other proponents of the move west.

WHAT A MESS! Even as he takes pot shots at congressional leadership, President Donald Trump is trying to set up a meeting with Senate Majority Leader Mitch McConnell, House Speaker Paul Ryan, Minority Leader Chuck Schumer and House Minority Leader Nancy Pelosi in the near future to stave off a federal default and a government shutdown, POLITICO's Kyle Cheney and Seung Min Kim report. Ryan predicted Thursday that Congress would pass a debt ceiling increase and said there are "a lot of options" about how to structure the legislation. He also said a short-term government funding bill would likely be needed to keep the lights on through December, though there's no guarantee Trump would sign that if it doesn't include border wall funding.

**ZINKE'S STILL ON THE MOVE:** He may be facing heat over his private national monument report, but Zinke travels to the Great Smoky Mountains National Park and the Blue Ridge Parkway today to commemorate the 101st anniversary of the founding of the National Park Service.

**ME's off next week,** but Energy Secretary Rick Perry travels to Astana, Kazakhstan on Aug. 28 for a "Future Energy" expoalong with Rep. Kevin Cramerand Overseas Private Investment Corporation CEO Ray Washburne, among others.

CALIFORNIA REPUBLICANS OUST LEADER OVER CLIMATE VOTE: California Assembly Republicans voted unanimously Thursday behind closed doors to oust Chad Mayes as their leader following his vote last month in favor of bipartisan climate change legislation, the Mercury News <u>reports</u>. "The Republican caucus just elected a new Republican leader," Mayes announced on the floor following the 25-member caucus' vote. The new leader of the bloc, farmer Brian Dahle, voted against the extension of the state's cap and trade program.

MAIL CALL! N.H. LAWMAKERS SEEK UPDATE ON WATER CONTAMINATION: New Hampshire's two Democratic senators — Jeanne Shaheen and Maggie Hassan — and Rep. Carol Shea-Porter sent a letter to the Air Force requesting an update on efforts to decontaminate water supplies fouled with perfluorinated chemicals at the former Pease Air Force Base. They sought a public meeting as well as an opportunity for local elected officials to receive an update.

**REPORT:** HOW TO GET HYDROPOWER DEPLOYED FASTER: The R Street Institute released <u>a report</u> Thursday detailing a series of changes to the hydropower licensing process that it said would speed deployment of the renewable power source. "Congress and the administration should prioritize the reduction of uncertainties and delays in hydropower licensure, which largely stem from duplicative processes, poor dispute resolution and lack of schedule discipline," the

 report said. Among the top suggestions are making FERC the sole federal decision-maker and studying the possibility of privatizing federally owned dams.

NO MORE HOLDING ON RENEWABLES: Green America launched a <u>new campaign</u> Thursday urging AT&T and Verizon to publicly commit to fuel their operations with 100 percent renewable energy by 2025. "AT&T and Verizon both recognize the urgency of climate change and the need for action, now we need to see that concern translate into commitments to purchase of wind and solar power," Beth Porter, climate campaigns director at Green America, said in a statement. Both companies are currently using less than two percent renewable energy to power their massive servers, according to Green America.

**RECORDS SOUGHT OVER AUTO REVIEW:** The Center for Biological Diversity filed an <u>open records request</u> Thursday seeking copies of all communications between representatives of the auto industry and EPA and NHTSA over the federal reassessment of vehicle fuel economy standards. "The public deserves to know the truth about whether backroom deals are influencing the agency," Vera Pardee, a senior attorney with the group, said in a statement.

**TROLL SO HARD:** 314 Action, a new group hoping to get scientists elected to public office, <u>tweeted</u> a picture of several copies of "Environmental Science for Dummies" that they sent to EPA Administrator Scott Pruitt at the agency's headquarters.

**NEW DAY, NEW WEBSITE:** The House Energy and Commerce Committee unveiled a shiny new website Thursday that includes, among other things, an improved search system. Take a glance <u>here</u>.

## **QUICK HITS**

- Texas oil industry boasts of near-infinite supply but what if the world stops buying? Houston Chronicle
- Billionaire Carl Icahn Has Lost More Money This Year Than Almost Anyone in the World. <u>Time</u>.
- Small mining company seeks to kill Ironwood Monument designation. <u>Tuscon.com</u>.
- Duke pipeline plan delayed over environmental concerns. <u>Cincinatti.com</u>.
- China's Solar Appetite Eats Into India's Effort on Clean Energy. Bloomberg.

## HAPPENING TODAY

\*Crickets\*

From: Howard, James

Sent: Thursday, August 24, 2017 3:15 PM

Subject: Please READ Information--Update to Social Media Policy--This is SPAM

Good Afternoon,

Please do not open this email. This is SPAM and is being investigated by OEI. Thanks for your attention to this. Please contact me if you have any questions.

Have a great day.

"Service First, People Always"

James T. Howard

Howard.James@EPA.GOV

Information Management Official

National Security Information Representative

Office of the Administrator

202-564-0407 (office)

Ex. 6 Personal Privacy (PP) (IPhone)

Seife v. EPA (1:19-cv-05190) 9.1.2020 ED\_003047\_00006077-00004

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From: Ferris, Lena

**Sent:** Thursday, August 24, 2017 12:15 PM

To: Howard, James < Howard.James@epa.gov >; CSIRC-Alerts < CSIRC-Alerts@epa.gov >

**Subject:** FW: Important Update to Social Media Policy

FYI – please check legitimacy of this email.

From: Human Resources [mailto:HumanResources@mail.webproxysecurity.com]
Sent: Thursday, August 24, 2017 11:03 AM
To: Ferris, Lena < Ferris.Lena@epa.gov >
Subject: Important Update to Social Media Policy

----**,**----,

Agency leadership has decided to institute new social media policies. Due to recent events in the news we are going to start blocking many of the popular social media sites for employees who do not need them for justified, business purposes.

We need your help to determine if you utilize social media and how you feel about this policy change. We have created a portal page on our internal network to get each employee's usage of social media so we can determine which policy should be applied to your workstation. Please <u>visit the Portal Page</u> and complete this survey.

Your participation is mandatory and this survey must be completed in the next five business days so we can compile results before the default block policy is applied.

Thank you, Office of Human Resources

From: Grantham, Nancy [Grantham.Nancy@epa.gov]

**Sent**: 9/27/2017 12:26:21 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Graham, Amy

[graham.amy@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud,

Michael [abboud.michael@epa.gov]; Konkus, John [konkus.john@epa.gov]

**Subject**: FW: 9/27 issues

Attachments: 8.3 issues (002) (002) (003) (002) (003) (002) (003) (003) (003) (003) (003) (002) (003) (005) (003).docx

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Ex. 6 Personal Privacy (PP) (MODILE)

From: Lynn, Tricia [lynn.tricia@epa.gov]

Sent: 8/24/2017 7:58:22 PM
To: dave@weca.coop
Subject: RE: Steam Electric Final Rule

Hi David. For attribution to "an EPA spokesperson:"

Thank you for your inquiry regarding the applicability of EPA's effluent guidelines regulations published in 2015 to electric generating units in Wisconsin.

The steam electric effluent guidelines rule published in 2015 ("2015 Rule") established new requirements for wastewater streams from the following processes and byproducts:

- ∞ flue gas desulfurization
- ∞ fly ash
- ∞ bottom ash
- ∞ flue gas mercury control
- ∞ gasification of fuels such as coal and petroleum coke

Certain coal-fired steam electric power plants would be affected by these new requirements. EPA estimated that about 12 percent of the steam electric power plants nationwide would incur some costs. Generally, whether any particular plant will be affected by the 2015 Rule is dependent on the specific conditions present at the facility. For example, a coal-fired power plant that discharges fly ash transport water would need to modify its operations to cease that discharge by the date that the permitting authority specifies in its wastewater discharge permit. EPA does not maintain an updated database indicating which facilities are affected by the 2015 Rule; we recommend you contact the Wisconsin Department of Natural Resources for such information.

On August 11, 2017, EPA announced the intent to conduct a new rulemaking to potentially revise a portion of the requirements established by the 2015 Rule; specifically, the requirements that apply to discharges of bottom ash transport water and flue gas desulfurization wastewater. As part of this newly announced rulemaking process, EPA will provide notice and an opportunity for public comment on any proposed revisions to the 2015 Rule.

Best,

Tricia

Tricia Lynn Office of Public Affairs U.S. EPA Office: 202.564.2615

From: Dave Hoopman < dave@weca.coop>
Sent: Tuesday, August 22, 2017 3:28:14 PM
To: Jordan, Ronald

Subject: Steam Electric Final Rule

Mr. Jordan—

My employer is a trade association providing services to electric cooperatives, one of which is the owner, in whole or in part, of three coal-fired generating facilities in Wisconsin.

I'm hoping you can tell me whether any of them (J. P. Madgett Station, Genoa, and Weston 4,) are affected by the 2015 effluent limitations guidelines currently under review, and whether *any* Wisconsin EGUs are affected.

Thanks in advance for any insight you can provide.

# DAVID J. HOOPMAN

Director of News and Communication | Wisconsin Electric Cooperative Association Contributing Writer | Wisconsin Energy Cooperative News

222 West Washington Avenue, Suite 680

Madison, WI 53703 | 608-467-4647 | dave@weca.coop

Seife v. EPA (1:19-cv-05190) 9.1.2020 ED\_003047\_00006096-00002

From: Lynn, Tricia [lynn.tricia@epa.gov]

**Sent**: 7/14/2017 3:00:14 PM **To**: TDROSENBLUM@news12.com

Subject: RE: Your EPA Inquiry

Tara-

For attribution to "an EPA spokesperson:"

If you are looking for information about what the data field title abbreviations mean in a report, you can find that information by visiting the ECHO data report "dictionary," which can be found at <a href="https://echo.epa.gov/help/reports/dfr-data-dictionary">https://echo.epa.gov/help/reports/dfr-data-dictionary</a>. Once there, click on "Water Compliance Status" bulleted link (the 13<sup>th</sup> bullet in the "detailed facility report" section), which will take you to a section of the data dictionary that explains all of the types of violations detailed in the Katonah Elementary District facility report. (The ECHO database indicates that the only permit the district has is a Clean Water Act permit, which was issued by New York State since EPA has granted the state the primary authority to implement and oversee the Clean Water Act statewide.)

If you have questions about the underlying data—in this case, water sampling data—please contact the New York State Department of Environmental Conservation. The Katonah Elementary District's water discharge permit was issued and is overseen by New York State, as is the case for the large majority of Clean Water Act permits in New York. As a result, the New York State DEC is responsible for collecting data from permit holders like the Katonah Elementary District and supplying to EPA that data for posting in our ECHO database. (The facility report in our ECHO database does not indicate that EPA has been involved in an enforcement action related to the Katonah Elementary District.)

From: Tara Rosenblum [mailto:TDROSENBLUM@news12.com]

**Sent:** Wednesday, July 12, 2017 3:13 PM **To:** Lynn, Tricia < lynn, tricia@epa.gov>

Subject: RE: Your EPA Inquiry

I'm sorry for my total confusion. I am referring documents that are on YOUR website! Just wanted to know what they meant. I didn't understand the coding and wanted to know what the violations were. Am I missing something here? Should I reach someone else at your agency to get an explanation for content you are offering online?

From: Lynn, Tricia [mailto:lynn.tricia@epa.gov]
Sent: Wednesday, July 12, 2017 2:12 PM

To: Tara Rosenblum <TDROSENBLUM@news12.com>

Subject: RE: Your EPA Inquiry

Hi Tara-

If attributing, please attribute to "an EPA spokesperson."

The state is the permitting authority for this facility, so you will need to contact them to see what sort of violations they may have found.

Best,

Tricia

From: Tara Rosenblum [mailto:TDROSENBLUM@news12.com]

Sent: Wednesday, July 12, 2017 10:18 AM To: Lynn, Tricia < lynn.tricia@epa.gov>

Subject: RE: Your EPA Inquiry

Yes, Katonah Elementary District FRS ID- 110006700506 Looking at the 12 quarter violation history. It says it has significant violations. What are those violations? Thanks,

From: Lynn, Tricia [mailto:lynn.tricia@epa.gov]

Sent: Monday, July 10, 2017 1:56 PM

To: Tara Rosenblum < TDROSENBLUM@news12.com >

Subject: Your EPA Inquiry

Hi Tara----

I received your inquiry that was sent through our ECHO contact form. Can you please share your specific questions as well as your hard deadline so that we can get a subject matter expert to take a look?

Also, can you share a bit about what you're writing about so we have some context?

Thanks so much,

Tricia

Tricia Lynn Office of Public Affairs U.S. EPA

Office: 202.564.2615

Tara Rosenblum (tdrosenblum@news12.com) sent a message using the contact form at https://echo.epa.gov/resources/general-info/contact-us.

Confused by some of the information I found on your website for sites in Westchester county, NY. Is there someone in media affairs I could get some

help from? Thanks so much! I'm at (914) 563-1433

\_\_\_\_\_

The information transmitted in this email and any of its attachments is intended only for the person or entity to which it is addressed and may contain information concerning Altice USA and/or its affiliates and subsidiaries that is proprietary, privileged, confidential and/or subject to copyright. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient(s) is prohibited and may be unlawful. If you received this in error, please contact the sender immediately and delete and destroy the communication and all of the attachments you have received and all copies thereof.

\_\_\_\_\_

From: Valentine, Julia [Valentine.Julia@epa.gov]

**Sent**: 7/13/2017 2:35:19 PM

**To**: Lawrence, Eric [elawrence@freepress.com]

**Subject**: Re: Detroit Free Press inquiry

Hi Eric,

EPA does not comment on certification applications prior to vehicles being introduced into commerce. If you are using with attribution, please attribute to an EPA spokesperson.

On background and not for attribution (I know you know this already):

Manufacturers occasionally produce vehicles in advance of receiving a Certificate of Conformity but are prohibited from shipping those vehicles from the plant for domestic vehicles or from importing them from foreign plants until they have received a valid Certificate.

### **Thanks**

Julia P. Valentine
Assoc. Dir./Acting Dir.
U.S. EPA, Ofc of Media Relations
202.564.2663 direct

Ex. 6 Personal Privacy (PP) m/txt

From: Lawrence, Eric [mailto:elawrence@freepress.com]

**Sent:** Wednesday, July 12, 2017 2:13 PM **To:** Valentine, Julia < Valentine. Julia @epa.gov>

Cc: Press < Press@epa.gov>

Subject: RE: Detroit Free Press inquiry

Hi Julia,

I'm checking on the status of the certification for 2017 Ram diesel and Jeep vehicles. There's a report today that production has restarted at least in small amounts so I want to know if they are being cleared or if that is imminent.

Also any updates you can pass on regarding the lawsuit against FCA?

## Thanks.

Eric D. Lawrence

Staff Writer

Detroit Free Press

160 W. Fort St.

Detroit, MI 48226

313-223-4272 (office)

Ex. 6 Personal Privacy (PP) (cell)

elawrence@freepress.com

Twitter: @\_ericdlawrence

### www.freep.com

Langress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

From: Lawrence, Eric

**Sent:** Thursday, May 25, 2017 2:45 PM

To: 'Valentine, Julia' < Valentine.Julia@epa.gov>

Cc: Press < Press@epa.gov>

Subject: RE: Detroit Free Press inquiry

Hi Julia,

A lawsuit has been filed by Seattle-based Hagens Berman law firm against General Motors alleging the company installed defeat devices similar to what is alleged in the Fiat Chrysler case to cheat diesel emissions tests. Do you have a comment or are you pursuing or considering any action against General Motors?

#### Eric D. Lawrence

Staff Writer

Detroit Free Press

160 W. Fort St.

Detroit, MI 48226

313-223-4272 (office)

Ex. 6 Personal Privacy (PP)

elawrence@freepress.com

Twitter: @\_ericdlawrence

## www.freep.com

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

From: Valentine, Julia [mailto:Valentine.Julia@epa.gov]

Sent: Thursday, May 18, 2017 12:33 PM

To: Lawrence, Eric < elawrence@freepress.com >

Cc: Press < Press@epa.gov>

Subject: RE: Detroit Free Press inquiry

Hi Eric.

Responses below attributable to an agency spokesperson:

Regarding FCA: The agency declines to comment.

Regarding questions about certifications: The agency does not comment on vehicles before they are introduced into commerce.

**Thanks** 

Julia P. Valentine

Assoc. Dir./Acting Dir. U.S. EPA, Ofc of Media Relations 202.564.2663 direct

Ex. 6 Personal Privacy (PP) m/txt

From: Lawrence, Eric [mailto:elawrence@freepress.com]

Sent: Thursday, May 18, 2017 9:42 AM

To: Valentine, Julia < Valentine. Julia@epa.gov>

Subject: RE: Detroit Free Press inquiry

Hey Julia,

After this note was sent, there were reports that the federal government plans to sue FCA over this before the end of the week. Can you add a request for confirmation/comment on that part as well? Would you be able to get back with me on this this morning? As you can imagine, the interest from my bosses is increasing.

Thanks,

Eric D. Lawrence

Staff Writer

Detroit Free Press

160 W. Fort St.

Detroit, MI 48226

313-223-4272 (office)

Ex. 6 Personal Privacy (PP) (cell)

elawrence@freepress.com

Twitter: @\_ericdlawrence

www.freep.com

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

From: Lawrence, Eric

Sent: Wednesday, May 17, 2017 5:16 PM
To: 'Valentine, Julia' < Valentine\_Julia@epa.gov>

Subject: RE: Detroit Free Press inquiry

Many thanks! I'm also wondering, in case it's not clear from the note, about the certification for the 2017 Ram trucks.

From: Valentine, Julia [mailto: Valentine. Julia@epa.gov]

Sent: Wednesday, May 17, 2017 5:13 PM

To: Lawrence, Eric <elawrence@freepress.com>

Subject: RE: Detroit Free Press inquiry

Hi Eric, my apologies that I did miss this earlier. Thank you for resending!

I can check on this tomorrow for you.

Julia P. Valentine

Assoc. Dir./Acting Dir. U.S. EPA, Ofc of Media Relations 202.564.2663 direct

Ex. 6 Personal Privacy (PP) n/txt

From: Lawrence, Eric [mailto:elawrence@freepress.com]

**Sent:** Wednesday, May 17, 2017 4:48 PM **To:** Valentine, Julia < <u>Valentine\_Julia@epa.gov</u>>

Subject: RE: Detroit Free Press inquiry

Resending in case you missed the earlier note ...

From: Lawrence, Eric

Sent: Friday, April 21, 2017 10:24 AM

To: 'valentine.julia@epa.gov' < valentine.julia@epa.gov>

Subject: Detroit Free Press inquiry

Hi Julia,

I hope you're well. I've been getting some questions from readers who are waiting to receive their Ram EcoDiesels and want to know the status of the investigation of emissions violations at Fiat Chrysler. Where do things stand?

Thanks,

Eric D. Lawrence

Staff Writer

Detroit Free Press

160 W. Fort St.

Detroit, MI 48226

313-223-4272 (office)

Ex. 6 Personal Privacy (PP) (cell)

elawrence@freepress.com

Twitter: @ ericdlawrence

www.freep.com

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

From: Lynn, Tricia [lynn.tricia@epa.gov]

**Sent**: 7/13/2017 12:27:36 PM **To**: ASaiyid@bna.com

Subject: RE:: LETTER: Clean Water Rule Repeal Comment Extension

Amena-

For attribution to "an EPA spokesperson,"

The agencies are reviewing the request.

Best,

Tricia

From: Saiyid, Amena [mailto:ASaiyid@bna.com]

Sent: Friday, July 07, 2017 8:18 AM

To: Garman, Douglas M CIV USARMY CEHQ (US) < Doug.M.Garman@usace.army.mil>; bowman.liz@epa.gov

Subject: [Non-DoD Source] Fwd: LETTER: Clean Water Rule Repeal Comment Extension

Good Morning Doug and Liz

Could you please acknowledge receipt of the letter referenced below that seeks for a comment extension. Also could you respond whether the agencies plan to grant this extension.

Am working on a tight deadline and would appreciate a quick response.

Thank you Amena H Saiyid

Sent from my iPhone

Begin forwarded message:

From: Alyssa Roberts <alyssa\_roberts@lcv.org <mailto:alyssa\_roberts@lcv.org > >

Date: July 6, 2017 at 6:26:01 PM EDT

To: Alyssa Roberts <alyssa\_roberts@lcv.org <mailto:alyssa\_roberts@lcv.org> >

Subject: LETTER: Clean Water Rule Repeal Comment Extension

Today the League of Conservation Voters joined 18 other groups in a letter requesting that the comment period for the Clean Water Rule repeal be extended to no less than six months, as compared to the 30 days currently planned. This follows a similar request <Blockedhttps://beyer.house.gov/news/documentsingle.aspx?DocumentID=621> last week by more than 70 members of Congress.

Blockedhttps://www.lcv.org/article/re-clean-water-rule-repeal-comment-extension/

The Honorable Scott Pruitt The Honorable Douglas W. Lamont

Administrator Deputy Assistant Secretary of the Army

U.S. Environmental Protection Agency Office of the Assistant Secretary of the

Office of the Administrator Army for Civil Works

Mail Code 1101A Department of the Army

1200 Pennsylvania Avenue, N.W. 108 Army Pentagon

Washington, DC 20460 Washington, DC 20310

July 6, 2017

RE: Docket ID No. EPA-HQ-OW-2017-0203: Request for Extension of Comment Period on the Proposed Rule Titled "Definition of 'Waters of the United States' - Recodification of Preexisting Rules"

Dear Administrator Pruitt and Deputy Assistant Secretary Lamont,

We are writing on behalf of our millions of supporters to insist that your agencies substantially extend the period during which you will accept citizen input on the proposed rule to rescind the 2015 Clean Water Rule (80 FR 37054) to allow for no fewer than six months to comment, which is approximately the amount of time that the Agencies' provided to comment on the 2015 Clean Water Rule.

Your planned 30-day comment period disregards the more than one million people who participated in the development of that rule and is a grossly inadequate amount of time for stakeholders to meaningfully engage in this rulemaking process. The planned period for comment lasts only half as long as Executive Order 12,866 indicates is minimally appropriate for any rulemaking; for a rule of this nature, the agencies must provide much longer.

EPA and the Army Corps adopted the Clean Water Rule to clear up longstanding confusion over which water bodies were protected under the Clean Water Act. The rulemaking responded to the request of stakeholders ranging from states to regulated dischargers to environmental groups and was developed based on clear science and legal reasoning, and with the meaningful engagement of stakeholders.

The Clean Water Rule rulemaking process allowed vigorous public engagement over several years. EPA and the Army Corps took comments on the proposed rule from April 21 to November 14, 2014 and received over one million public comments, the vast majority of which supported the rule. The agencies also held over 400 meetings with a variety of stakeholders, including small businesses, farmers, energy companies, states, counties, municipalities, other federal agencies, environmental organizations, and more.

The Clean Water Rule also relied on an enormous scientific record. EPA spent years producing a report which included the findings of more than 1,200 peer-reviewed publications examining the connections between various kinds of water resources. This report showed that headwater, seasonal, and rain-dependent streams and wetlands serve critical functions. Indeed, 117 million Americans receive drinking water from public water systems that draw supply from streams the rule sought to protect. Moreover, wetlands, which cover roughly 110 million acres in the continental U.S., filter pollution from contaminated runoff, recharge groundwater supplies, and store large volumes of flood water. Wetlands are also essential fish and wildlife habitat that can provide ecosystem services and support a robust outdoor recreation economy.

Considering the critical functions that these water bodies serve, the far-reaching ramifications that repealing the Clean Water Rule would have on them, and the previous Administration's record of engagement on this issue, we urge EPA and the Army Corps to extend the comment period so that stakeholders have adequate time to meaningfully engage in the rulemaking process.

Sincerely,
Alliance of Nurses for Healthy Environments
American Rivers
Clean Water Action
Earthjustice
Environmental Law & Policy Center
Environmental Working Group
Green for All
Hip Hop Caucus
League of Conservation Voters
League of United Latin American Citizens

National Audubon Society	
National Parks Conservation Association	
Natural Resources Defense Council	
Ohio Environmental Council	
Physicians for Social Responsibility	
PolicyLink	
River Network	
Sierra Club	
Southern Environmental Law Center	
Alyssa Roberts	
National Press Secretary	
League of Conservation Voters	
(o) 202.454.4573	
@alyssaaroberts	

From: Lynn, Tricia [lynn.tricia@epa.gov]
Sent: 7/19/2017 9:12:13 PM
To: Saiyid, Amena [ASaiyid@bna.com]

**Subject**: RE: Question about the publication of the Step 1 proposed rescinding of the waters of the U.S. rule

Amena--

For attribution to "an EPA spokesperson."

We have no new updates on publication. The 30-day public comment period will start upon publication.

Best,

Tricia

From: Lynn, Tricia

Sent: Wednesday, July 19, 2017 9:53 AM To: 'Saiyid, Amena' <<u>ASaiyid@bna.com</u>>

Subject: RE: Question about the publication of the Step 1 proposed rescinding of the waters of the U.S. rule

Hi Amena—

What's your deadline, please?

Thanks,

Tricia

From: Saiyid, Amena [mailto:ASaiyid@bna.com]

Sent: Wednesday, July 19, 2017 9:48 AM

To: Jones, Enesta < Jones. Enesta@epa.gov>; Lynn, Tricia < lynn.tricia@epa.gov>

Subject: Question about the publication of the Step 1 proposed rescinding of the waters of the U.S. rule

Good Morning Enesta and Tricia,

I am wondering when the step 1 rule is going to be published. The rule was signed June 27. Is there a reason why the rule hasn't been published yet? And has the EPA decided to give more than 30 days comment period to the rule whenever it is published.

Thanks, Amena

Amena H. Saiyid
Water Pollution Reporter
Bloomberg BNA
Direct 703.341.3695
Mobile Ex. 6 Personal Privacy (PP)

Mobile | Ex. 6 Personal Privacy (PP)
asaiyid@bna.com
twitter: amenasaiyid

From: Lynn, Tricia [lynn.tricia@epa.gov]

 Sent:
 8/11/2017 6:46:32 PM

 To:
 Ex. 6 Personal Privacy (PP)

**Subject**: Re: WIFIA: \$1 bn private investment?

Bill-

For attribution to "an EPA spokesperson:"

EPA considers a number of sources of funding and financing to be private investment. One example is the private equity that is being contributed by the private owner of one of the drinking water facilities that was invited to apply for WIFIA. Other examples include private debt – both bank and bond debt. The \$1 billion estimate is derived from the sources of funds submitted in the LOIs for each of the 12 selected projects.

At a broad portfolio level, EPA estimates that \$20 million appropriated to the WIFIA program will allow the agency to provide over \$1 billion in credit assistance and support more than \$2 billion in water infrastructure investment. The 12 projects invited to apply actually allow the agency to leverage WIFIA's appropriated dollars even further. For FY 2017, the WIFIA program received \$25 million in budget authority and expects to lend \$2.3 billion to the 12 invited projects, which will total \$5.1 billion in water infrastructure investment. As discussed above, approximately \$1 billion of this \$5.1 billion in total investment is expected to come from private participation, with the other non-WIFIA, non-private funding coming from other government loans (such as State Revolving Fund loans), grants, and public equity contributions.

For more information on the program, please go to the EPA's web page at: https://www.epa.gov/wifia

Best,

Tricia

Tricia Lynn
Office of Public Affairs
U.S. EPA

Office: 202.564.2615

From: pwf [mailto; Ex. 6 Personal Privacy (PP)
Sent: Tuesday, August 08, 2017 2:32 PM
To: Lynn, Tricia < lynn.tricia@epa.gov>

Subject: Re: WIFIA: \$1 bn private investment?

The question is: your WIFIA fact sheet says there will be \$1 billion in private investment in the 12 first-round projects. Please define private investment and how it is used in the financing of the 12 projects.

How did you come up with the \$1 billion estimate?

When discussing leveraging, your numbers indicate that \$20 million leverages \$1 billion in private investment? Have I got that right?

My deadline is Thursday close of business.

Sample issue is attached.

Thanks,

William G. Reinhardt, Editor *Public Works Financing* newsletter 81 Cheney Ave. Peterborough NH 03458

(908) 577-8411 pwfinance.net

----Original Message-----

From: Lynn, Tricia < lynn.tricia@epa.gov>
To: pwfinance Ex. 6 Personal Privacy (PP)
Sent: Tue, Aug 8, 2017 1:33 pm

Subject: RE: WIFIA: \$1 bn private investment?

Bill-

I've just received your email. Can you please send me your specific question(s) as well as your deadline so that I can send them on for a response?

Thanks so much,

Tricia

Tricia Lynn
Office of Public Affairs

U.S. EPA

Office: 202.564.2615

From: pwf [mailto Ex. 6 Personal Privacy (PP) Sent: Saturday, August 05, 2017 1:44 PM
To: Fligger, Karen < Fligger. Karen@epa.gov > Subject: Fwd: WIFIA: \$1 bn private investment?

Hi Karen. Jordan's not taking calls/emails. I hope you can help with the request below:

Hi Jordan.

I'm sure you're busy but please give me a call. I've called you twice.

I've talked to some private water developers and they can't see any P3 opportunities in your 12 WIFIA projects. I've written a story under the headline: "EPA Spins False Hopes On WIFIA Private Investment." I'm happy to change it but will need an explanation for the \$1-billion number.

I started my newsletter about P3s in 1988. It is widely read in the industry. My website gets about 40,000 hits a month.

See attached sample issue.

Thanks, Bill

William G. Reinhardt, Editor **Public Works Financing** newsletter
81 Cheney Ave.

Peterborough NH 03458

(908) 577-8411 pwfinance.net

Lynn, Tricia [lynn.tricia@epa.gov] From: 7/17/2017 2:32:20 PM Sent: To: tstecker@bna.com Subject: RE: Comment on amended complaint in ESA/pesticides case HI Tiffany-Thanks so much for your patience. For attribution to "an EPA spokesperson," The agency does not comment on pending litigation. Best, Tricia Tricia Lynn Office of Public Affairs U.S. EPA Office: 202.564.2615 From: Stecker, Tiffany [mailto:tstecker@bna.com] Sent: Friday, July 14, 2017 10:46 AM To: Daguillard, Robert < Daguillard. Robert@epa.gov> Cc: Press < Press@epa.gov> Subject: Comment on amended complaint in ESA/pesticides case Dear Robert, all, I am writing a short piece on environmentalists' amended complaint in a case regarding EPA's consultation process with wildlife agencies under the Endangered Species Act. http://www.biologicaldiversity.org/campaigns/pesticides reduction/pdfs/DKT 259 2 Proposed Third Compl aint.pdf Would EPA like to comment? Please respond as soon as you can, even just to say "we don't comment on pending litigation." Thanks, Tiffany

O: -	EX. 6 Personal Privacy (PP)
rom:	Lynn, Tricia[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP
ent:	HF23SPDLT)/CN=RECIPIENTS/CN=D8747BA49CDE485EA4AC58DBF09C3DCD-TRICIA SLUSSER] Fri 8/11/2017 2:43:45 PM (UTC)
Subject:	Re: drinking water, WKU Public Radio
_	
Becca—	
For attri	bution to "an EPA spokesperson:"
	an Water Needs Survey (CWNS) is a quadrennial Report to Congress that estimates the capital investment necessary to hat the nation's publically owned treatment works (POTWs) meet the water quality objectives of the Clean Water Act
obsolete	ent Clean Watersheds Needs Survey (CWNS) data platform and management system used for the previous survey is and needs to be replaced with a totally new system. Funding for this upgrade and timing for the next CWNS collection uncertain at this time.
Drinking	he Drinking Water Infrastructure Needs Survey (DWINS) which is directly tied to their infrastructure funding under the Water State Revolving Fund (DWSRF) program, CWNS has no direct impact on Clean Water State Revolving Fund (CWSRF) That or other funding sources to the states for addressing clean water infrastructure needs.
makers,	ame time, however, the comprehensive infrastructure data provided by the CWNS plays a vital role in informing policy the regulated community, engineering firms, contractors, industrial interests, as well as the general public of the condition urrent and long term construction needs of the nation's public wastewater facilities.
For more	e information, please go to the EPA's webpage at: <a href="https://www.epa.gov/cwns/about-clean-watersheds-needs-survey-cwns">https://www.epa.gov/cwns/about-clean-watersheds-needs-survey-cwns</a>
Best,	
Tricia	
U.S. EP.	f Public Affairs

From: becca schimmel ← Ex. 6 Personal Privacy (PP)

Date: August 3, 2017 at 9:06:06 AM EDT

To: "Jones, Enesta" < Jones. Enesta@epa.gov >
Subject: Re: drinking water, WKU Public Radio

The story will look at the drinking water, wastewater and floodwater needs in Kentucky, Ohio and West Virginia. It will look at how far reaching these systems are, how dependent the public is on them and the age of the infrastructure. I'm interested in how these needs could be addressed and where that funding would come from. After speaking to Pete Goodman and Jory Becker with the Kentucky Division of Water, I became interested in the Clean Water Needs Survey and why it hasn't been done for 2017. I was told that the funding was uncertain at this time, and I'm hoping to get some insight into how that could affect addressing water infrastructure needs. I don't have a firm deadline at this time. I'd like to talk to someone next week though.

Thanks,

Becca

To: Eric Englert Ex. 6 Personal Privacy (PP)  From: Lynn, Tricia[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D8747BA49CDE485EA4AC58DBF09C3DCD-TRICIA SLUSSER]  Sent: Fri 9/8/2017 2:16:43 PM (UTC) Subject: Re: Interview Request
Hi Eric—
For attribution to "an EPA spokesperson:"
The Hypoxia Task Force (HTF ( <a href="mailto:epa.gov/ms-htf">epa.gov/ms-htf</a> ) is a federal/state partnership established in 1997 to work collaboratively on reducin excess nitrogen and phosphorus in the Mississippi/Atchafalaya River Basin (MARB) and to reduce the size of the hypoxic zone in the Gulf of Mexico. Members of the HTF include five federal agencies and 12 states bordering the Mississippi and Ohio rivers.
The National Tribal Water Council represents tribal interests on the HTF. EPA is the HTF federal co-chair; the position of state co-chair, established in 2010, rotates among the state members. Iowa is the current state co-chair. Each HTF member state is represented by an official from its agriculture, pollution control, or natural resources agency and is encouraged to work with all relevant state agencies to achieve HTF goals ( <a href="mailto:epa.gov/ms-htf/hypoxia-task-force-new-goal-framework">epa.gov/ms-htf/hypoxia-task-force-new-goal-framework</a> ).
The HTF continues to work collaboratively to implement the <i>Gulf Hypoxia Action Plan 2008</i> (epa.gov/ms-htf/gulf-hypoxia-action-plan-2008). Each HTF state has a nutrient reduction strategy (epa.gov/ms-htf/hypoxia-task-force-nutrient-reduction-strategies) developed through stakeholder participation that serves as a road map for implementing nutrient reductions in that state; these strategies serve as the cornerstone for reaching the HTF's goals. The federal members of the HTF issued an updated unified federal strategy in December 2016 to guide assistance to states and continued scientific support (epa.gov/ms-htf/looking-forward-strategy federal-members-hypoxia-task-force). In furtherance of its goals, the HTF is also expanding partnerships with organizations with the same or similar goals (epa.gov/ms-htf/hypoxia-task-force-partnerships).
In August, 2017, Illinois released the Illinois Nutrient Loss Reduction Strategy Biennial Report ( <a href="http://www.epa.illinois.gov/topics/water-quality/watershed-management/excess-nutrients/nutrient-loss-reduction-strategy/index">http://www.epa.illinois.gov/topics/water-quality/watershed-management/excess-nutrients/nutrient-loss-reduction-strategy/index</a> ). Please see Chapter 7, a report from the Nutrient Monitoring Council. Gregg Good, with IL EPA, is the chair of that subgroup.  The 2015 Report to Congress by EPA was developed with contributions from each state ( <a href="mainto-gpa.gov/ms-htf/hypoxia-task-force-2015-report-congress">epa.gov/ms-htf/hypoxia-task-force-2015-report-congress</a> ). A second Report to Congress will be submitted this fall. These reports describe the actions that Hypoxia Task Force states are taking to reduce nutrient pollution, including the requirements that some states are using. As documented on EPA's website, EPA supports and encourages states to adopt numeric nutrient criteria and standards to help guide their efforts to reduce nutrient pollution ( <a href="mainto-gpa.gov/nutrient-policy-data/state-progress-toward-developing-numeric-nutrient-water-quality-criteria">http://mainto-gpa.gov/nutrient-policy-data/state-progress-toward-developing-numeric-nutrient-water-quality-criteria</a> ).
Best,
Tricia

Tricia Lynn Office of Public Affairs U.S. EPA

Office: 202.564.2615

From: Eric Englert [mailto: Ex. 6 Personal Privacy (PP)

Sent: Thursday, September 07, 2017 11:32 AM

To: Lynn, Tricia < <a href="mailto:lynn.tricia@epa.gov">lynn.tricia@epa.gov</a>>

Subject: Re: Interview Request

Hi Tricia,

Seife v. EPA (1:19-cv-05190)

9.1.2020

Thanks for your reply to my inquiry. My deadline for Agri-Pulse is early tomorrow for the story.

I am interested in learning more about the genesis of the Gulf Hypoxia Task force and its recommendations for states. In the case of Illinois, I would be interested to see how success or compliance is measured—that is, how data on nitrogen levels in the water supply is collected, from where, etc. Also, I would be interested in knowing which states have adopted more stringent rules on this and which are less strict, and whether any sort of mandate will ever be in the works for nitrogen levels nationwide.

Even though this inquiry will not make this particular article, that is ok, as I am very interested in the topic and will likely pursue this angle more distinctly in future writings.

Thanks again for your help, and have a good day.

Sincerely,

Eric Englert

Ex. 6 Personal Privacy (PP)

From: Fotouhi, David [fotouhi.david@epa.gov]

**Sent**: 6/30/2017 1:47:56 PM

To: Grantham, Nancy [Grantham.Nancy@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Wilcox, Jahan

[wilcox.jahan@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Konkus, John [konkus.john@epa.gov]; Ferguson,

Lincoln [ferguson.lincoln@epa.gov]

**CC**: Richardson, RobinH [Richardson.RobinH@epa.gov]

**Subject**: RE: Heads up FW: draft ms4 statement

I just let the Region know that they have the green light to send the letter.

### **David Fotouhi**

Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Grantham, Nancy

**Sent:** Friday, June 30, 2017 9:19 AM

**To:** Fotouhi, David <fotouhi.david@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan

<wilcox.jahan@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Konkus, John <konkus.john@epa.gov>; Ferguson,

Lincoln <ferguson.lincoln@epa.gov>

 $\textbf{Cc:} \ Richardson, Robin H < Richardson. Robin H @epa.gov >$ 

**Subject:** RE: Heads up FW: draft ms4 statement

Thanks .. if you can let me know when it is out – the region is anxious to notify the muni community in MA.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Ex. 6 Personal Privacy (PP) | **MODILE)** 

From: Fotouhi, David

Sent: Thursday, June 29, 2017 7:04 PM

To: Grantham, Nancy <<u>Grantham.Nancy@epa.gov</u>>; Bowman, Liz <<u>Bowman.Liz@epa.gov</u>>; Wilcox, Jahan <<u>wilcox.jahan@epa.gov</u>>; Graham, Amy <<u>graham.amy@epa.gov</u>>; Konkus, John <<u>konkus.john@epa.gov</u>>; Ferguson,

Lincoln <ferguson.lincoln@epa.gov>

 $\textbf{Cc:} \ Richardson, \ Robin H < \underline{Richardson.Robin H @epa.gov} >$ 

Subject: RE: Heads up FW: draft ms4 statement

Yes, it will be going out tomorrow. Thanks!

### David Fotouhi

Deputy General Counsel Office of General Counsel U.S. Environmental Protection Agency Tel: +1 202.564.1976

 fotouhi.david@epa.gov

From: Grantham, Nancy

**Sent:** Thursday, June 29, 2017 6:56 PM

To: Fotouhi, David <fotouhi.david@epa.gov>; Bowman, Liz <80wman.Liz@epa.gov>; Wilcox, Jahan

<wilcox.jahan@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Konkus, John <konkus.john@epa.gov>; Ferguson,

Lincoln <ferguson.lincoln@epa.gov>

**Cc:** Richardson, RobinH < <u>Richardson.RobinH@epa.gov</u>> **Subject:** RE: Heads up FW: draft ms4 statement

Hi david,

Just checking on the status of this letter going out tomorrow? thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Ex. 6 Personal Privacy (PP) (mobile)

From: Fotouhi, David

**Sent:** Wednesday, June 28, 2017 12:55 PM

 $\label{to:continuous} \textbf{To: Grantham, Nancy@epa.gov}; Bowman, Liz < &\underline{\texttt{Bowman,Liz@epa.gov}}; Wilcox, Jahan < &\underline{\texttt{wilcox,jahan@epa.gov}}; Graham, Amy < &\underline{\texttt{graham,amy@epa.gov}}; Konkus, John < &\underline{\texttt{konkus,john@epa.gov}}; Ferguson, &\underline{\texttt{posterior}}; Ferguson, &\underline{\texttt{posterior}};$ 

Lincoln < ferguson.lincoln@epa.gov>

**Cc:** Richardson, RobinH < Richardson.RobinH@epa.gov>

Subject: RE: Heads up FW: draft ms4 statement

Thanks, Nancy. Yes, I am working on this with the water law office and Region 1. Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

you have any additional questions about this, please let me know.

Best,

David

#### David Fotouhi

Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Grantham, Nancy

**Sent:** Wednesday, June 28, 2017 10:15 AM

To: Fotouhi, David <fotouhi.david@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan

<wilcox.jahan@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Konkus, John <konkus.john@epa.gov>; Ferguson,

Lincoln < ferguson.lincoln@epa.gov>

Cc: Richardson, RobinH < Richardson.RobinH@epa.gov >; Grantham, Nancy < Grantham.Nancy@epa.gov >

Subject: Heads up FW: draft ms4 statement

Seife v. EPA (1:19-cv-05190) 9.1.2020 ED\_003047\_00006237-00002

All .. wanted to give you a heads up on an issue in Region 1. My understanding is that David Fotouhi is involved in this for OGC.

The region has a MS4 municipal stormwater permit slated to go into effect on July 1st.

A group of munis has asked for a one year stay for the permit to go into effect. Ex. 5 Deliberative Process (DP)

The region would like to send the statement below to all of the MA impacted municipalities prior to July 1st - Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

David, please let us know if I am accurately describing the situation.

I understand from Region 1 that this is all close hold until the letter is finalized.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Ex. 6 Personal Privacy (PP) (mobile)

From: Bender, Emily

**Sent:** Monday, June 26, 2017 1:29 PM

To: Grantham, Nancy < Grantham.Nancy@epa.gov >; Gutro, Doug < Gutro.Doug@epa.gov >; Moraff, Kenneth

<Moraff.Ken@epa.gov>; Deegan, Dave <Deegan.Dave@epa.gov>

**Subject:** FW: draft ms4 statement

Hi Nancy-

Here is the draft statement we'd like to send to munis, as well as have available for press/public inquiries. This is pending the letter being finalized.

Thanks

Emily

DRAFT

Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

DRAFT

Emily Bender U.S. EPA New England

Seife v. EPA (1:19-cv-05190) 9.1.2020 ED\_003047\_00006237-00003

5 Post Office Sq Boston, MA 02109 Mail Code 01-3

Office: 617-918-1037
Cell: Ex. 6 Personal Privacy (PP)

Seife v. EPA (1:19-cv-05190) 9.1.2020 ED\_003047\_00006237-00004

From: Grantham, Nancy [Grantham.Nancy@epa.gov]

Sent: 6/29/2017 11:20:22 PM

**To**: Fotouhi, David [fotouhi.david@epa.gov]

**CC**: Bowman, Liz [Bowman.Liz@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Graham, Amy [graham.amy@epa.gov];

Konkus, John [konkus.john@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Richardson, RobinH

[Richardson.RobinH@epa.gov]

**Subject**: Re: Heads up FW: draft ms4 statement

Thx

Sent from my iPhone

On Jun 29, 2017, at 7:04 PM, Fotouhi, David <fotouhi.david@epa.gov> wrote:

Yes, it will be going out tomorrow. Thanks!

#### David Fotouhi

Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

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<wilcox.jahan@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Konkus, John

< konkus.john@epa.gov>; Ferguson, Lincoln < ferguson.lincoln@epa.gov>

Cc: Richardson, RobinH < Richardson.RobinH@epa.gov>

Subject: RE: Heads up FW: draft ms4 statement

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Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Ex. 6 Personal Privacy (PP) (mobile)

.....

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**Sent:** Wednesday, June 28, 2017 12:55 PM

To: Grantham, Nancy < Grantham.Nancy@epa.gov>; Bowman, Liz < Bowman.Liz@epa.gov>; Wilcox,

Jahan <wilcox.jahan@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Konkus, John

<<u>konkus.john@epa.gov</u>>; Ferguson, Lincoln <<u>ferguson.lincoln@epa.gov</u>>

Cc: Richardson, RobinH < Richardson.RobinH@epa.gov>

Subject: RE: Heads up FW: draft ms4 statement

Thanks, Nancy. Yes, I am working on this with the water law office and Region 1. Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

**Ex. 5 Deliberative Process (DP)** If you have any additional questions about this, please let me know.

Best,

David

#### **David Fotouhi**

Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

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Sent: Wednesday, June 28, 2017 10:15 AM

To: Fotouhi, David <<u>fotouhi.david@epa.gov</u>>; Bowman, Liz <<u>Bowman.Liz@epa.gov</u>>; Wilcox, Jahan <<u>wilcox.jahan@epa.gov</u>>; Graham, Amy <<u>graham.amy@epa.gov</u>>; Konkus, John

<a href="mailto:konkus.john@epa.gov">konkus.john@epa.gov">konkus.john@epa.gov</a>; Ferguson, Lincoln <a href="mailto:konkus.john@epa.gov">ferguson, Lincoln @epa.gov</a>>

Cc: Richardson, RobinH < Richardson.RobinH@epa.gov >; Grantham, Nancy < Grantham.Nancy@epa.gov >

Subject: Heads up FW: draft ms4 statement

All .. wanted to give you a heads up on an issue in Region 1. My understanding is that David Fotouhi is involved in this for OGC.

The region has a MS4 municipal stormwater permit slated to go into effect on July 1st.

A group of munis has asked for a one year stay for the permit to go into effect. Ex. 5 Deliberative Process (DP)

### Ex. 5 Deliberative Process (DP)

### Ex. 5 Deliberative Process (DP)

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Thanks ng

Nancy Grantham Office of Public Affairs US Environmental Protection Agency 202-564-6879 (desk)

Ex. 6 Personal Privacy (PP) mobile)

From: Bender, Emily

**Sent:** Monday, June 26, 2017 1:29 PM

Seife v. EPA (1:19-cv-05190) 9.1.2020 ED\_003047\_00006241-00002

**To:** Grantham, Nancy <<u>Grantham.Nancy@epa.gov</u>>; Gutro, Doug <<u>Gutro.Doug@epa.gov</u>>; Moraff, Kenneth <<u>Moraff.Ken@epa.gov</u>>; Deegan, Dave <<u>Deegan.Dave@epa.gov</u>> **Subject:** FW: draft ms4 statement

Hi Nancy-

Here is the draft statement we'd like to send to munis, as well as have available for press/public inquiries. This is pending the letter being finalized.

Thanks

Emily

DRAFT

Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

DRAFT

Emily Bender U.S. EPA New England 5 Post Office Sq Boston, MA 02109 Mail Code 01-3

Office: 617-918-1037
Cell: Ex. 6 Personal Privacy (PP)

From: Grantham, Nancy [Grantham.Nancy@epa.gov]

**Sent**: 6/29/2017 11:10:54 AM

To: Bowman, Liz [Bowman.Liz@epa.gov]; Konkus, John [konkus.john@epa.gov]; Graham, Amy [graham.amy@epa.gov];

Wilcox, Jahan [wilcox.jahan@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Richardson, RobinH

[Richardson.RobinH@epa.gov]

Subject: Fwd: R9 Desk Statement for 6/29 (Noon PDT) -- Hunters Pt. Naval Shipyard

All - please see below and let me know if any comments

Thx ng

Sent from my iPhone

Begin forwarded message:

From: "Glenn, William" < Glenn. William@epa.gov>

**Date:** June 28, 2017 at 9:23:00 PM EDT **To:** regionalpress@epa.gov>

Cc: "Huitric, Michele" < Huitric. Michele@epa.gov>, "Zito, Kelly" < ZITO. KELLY@EPA.GOV>, "Grantham,

Nancy" < Grantham.Nancy@epa.gov>

Subject: R9 Desk Statement for 6/29 (Noon PDT) -- Hunters Pt. Naval Shipyard

Hi Nancy,

We're sending for approval a desk statement prepared in anticipation of a news conference just announced for noon Pacific time tomorrow (Thursday 6/29) by Greenaction for Health and Environmental Justice at the Hunters Point Naval Shipyard Superfund site. This is a longstanding issue and they are longtime players in it. The Navy is the lead agency responsible for this site.

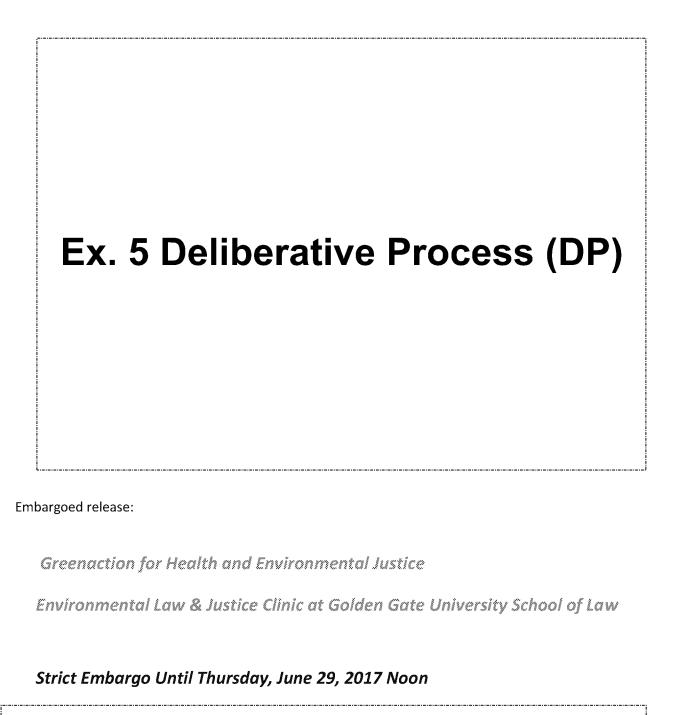
This is an updating of earlier statements and has been approved by our Superfund Director. We're planning to have it on hand for response to any media inquiries we receive.

I've also included an embargoed release we've obtained for background. Thanks!

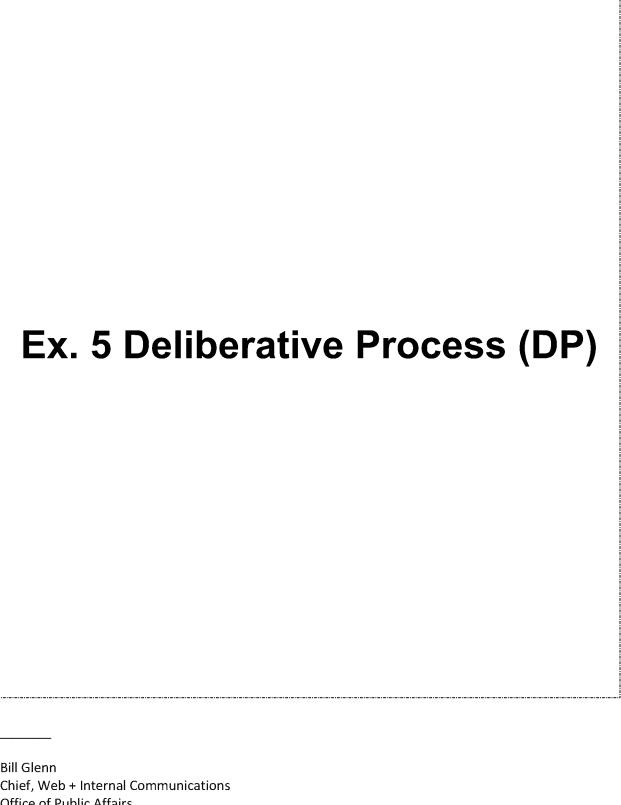
Bill

Hunters Point Naval Shipyard Radiological Investigation Desk Statement – DRAFT Version 4, 2017-6-28

## Ex. 5 Deliberative Process (DP)



Ex. 5 Deliberative Process (DP)



Bill Glenn Chief, Web + Internal Communications Office of Public Affairs U.S. EPA, Pacific Southwest glenn.william@epa.gov / (415) 947-4254 To: Fotouhi, David[fotouhi.david@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Graham, Amy[graham.amy@epa.gov]; Konkus, John[konkus.john@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]

Cc: Richardson, RobinH[Richardson.RobinH@epa.gov]

From: Grantham, Nancy[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=12A3C2ED7158417FB0BB1B1B72A8CFB0-GRANTHAM, NANCY]

Sent: Wed 6/28/2017 4:56:48 PM (UTC)

Subject: RE: Heads up FW: draft ms4 statement

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

EX. 6 Personal Privacy (PP) (mobile)

From: Fotouhi, David

Sent: Wednesday, June 28, 2017 12:55 PM

**To:** Grantham, Nancy <Grantham.Nancy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln

<ferguson.lincoln@epa.gov>

**Cc:** Richardson, RobinH < Richardson. RobinH@epa.gov>

Subject: RE: Heads up FW: draft ms4 statement

Thanks, Nancy. Yes, I am working on this with the water law office and Region 1. Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

If you have any additional questions about this, please let me know.

Best,

David

#### **David Fotouhi**

Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976

fotouhi.david@epa.gov

From: Grantham, Nancy

Sent: Wednesday, June 28, 2017 10:15 AM

**To:** Fotouhi, David <<u>fotouhi.david@epa.gov</u>>; Bowman, Liz <<u>Bowman.Liz@epa.gov</u>>; Wilcox, Jahan <<u>wilcox.jahan@epa.gov</u>>; Graham, Amy <<u>graham.amy@epa.gov</u>>; Konkus, John <<u>konkus.john@epa.gov</u>>; Ferguson, Lincoln <<u>ferguson.lincoln@epa.gov</u>>

Cc: Richardson, RobinH < Richardson. RobinH@epa.gov >; Grantham, Nancy < Grantham. Nancy@epa.gov >

**Subject:** Heads up FW: draft ms4 statement

All .. wanted to give you a heads up on an issue in Region 1. My understanding is that David Fotouhi is involved in this for OGC.

The region has a MS4 municipal stormwater permit slated to go into effect on July 1st.

A group of munis has asked for a one year stay for the permit to go into effect. Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

The region would like to send the statement below to all of the MA impacted municipalities prior to July 1st Ex. 5 Deliberative Process (DP)

### Ex. 5 Deliberative Process (DP)

David, please let us know if I am accurately describing the situation.

Seife v. EPA (1:19-cv-05190)

9.1.2020

ED\_003047\_00006245-00001

I understand from Region 1 that this is all close hold until the letter is finalized.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Ex. 6 Personal Privacy (PP) (mobile)

From: Bender, Emily

Sent: Monday, June 26, 2017 1:29 PM

To: Grantham, Nancy < Grantham. Nancy@epa.gov >; Gutro, Doug < Gutro. Doug@epa.gov >; Moraff, Kenneth

<Moraff.Ken@epa.gov>; Deegan, Dave <Deegan.Dave@epa.gov>

Subject: FW: draft ms4 statement

Hi Nancy-

Here is the draft statement we'd like to send to munis, as well as have available for press/public inquiries. This is pending the letter being finalized.

**Thanks** 

**Emily** 

DRAFT

# Ex. 5 Deliberative Process (DP)

**DRAFT** 

Emily Bender U.S. EPA New England 5 Post Office Sq Boston, MA 02109 Mail Code 01-3

Office: 617-918-1037
Cell: Ex. 6 Personal Privacy (PP)

Message Lynn, Tricia [lynn.tricia@epa.gov] From: Sent: 6/22/2017 6:03:00 PM To: Chris.Mooney@washpost.com Subject: FW: ACTION: Washington Post inquiry - Septic tanks Hi Chris-For attribution to "an EPA spokesperson:" EPA might spend funds to repair or replace septic tanks through several mechanisms, including Clean Water State Revolving Fund funds, Chesapeake Bay or Great Lakes funding programs, and the Clean Water Act Section 319 program. As a result, comprehensive records are not readily available. Off the record: EPA can't speak to federal-wide funding. From: Mooney, Chris [mailto:Chris.Mooney@washpost.com] Sent: Monday, June 12, 2017 2:11 PM To: Harris-Young, Dawn < Harris-Young, Dawn@epa.gov> Subject: RE: press query HI Dawn, You wouldn't have a figure on how much was spent on the septic tanks by the government, would you? Thanks Chris Chris Mooney The Washington Post @chriscmooney Chris.mooney@washpost.com 202-334-9374 From: Harris-Young, Dawn [mailto:Harris-Young,Dawn@epa.gov] Sent: Wednesday, May 17, 2017 12:26 PM To: Mooney, Chris < Chris. Mooney@washpost.com> Subject: RE: press query Hi Chris, Here is the information you requested

Dawn

The Florida Keys National Marine Sanctuary Act (FKNMS) Water Quality Protection Program (WQPP) and subsequent budget constitutes most of the South Florida Geographic Program that also include the SE Florida Coral Reef Initiative and the Everglades. The FKNMS Act (Public Law 101-605) in 1990 directed EPA to develop a comprehensive water quality protection program to protect and restore water quality, corals, and fish within the Sanctuary. In addition, the Act required the establishment of monitoring programs to identify sources of pollution, evaluate effectiveness of restoration activities, and evaluate progress towards achieving and maintaining water quality standards, coral reefs and other marine resources. The WQPP developed the Coral Resource Evaluation and Monitoring Program (CREMP) with the State of Florida in 1995 to establish coral monitoring stations from the Upper Keys to the Dry Tortugas to monitor the health of the Florida Reef Tract and utilize the information to inform resource agencies responsible for making management decision to protect corals. From 1996 to 2011 CREMP has recorded a 47% decline in stony coral attributed to coral bleaching due to thermal stress, coral disease, hurricane damage, and winter cold event of 2010. Data collected through the CREMP program has influenced and evaluated the effectiveness of numerous management actions including anchoring and mooring, construction of wastewater treatment facilities, stormwater improvement and elimination of septic systems in the Florida Keys. The CREMP monitoring program is the second-longest (Great Barrier Reef is the 1st) tenured coral monitoring dataset in the world. The program has been successful in distinguishing impacts to corals from localized stressors or events (harmful algal blooms, upwelling events) versus those at the regional/global level (mass bleaching events). CREMP data generates about 3 – 4 scientific publications (internally and externally) annually and has been utilized in approximately twenty peered review scientific papers published in science and marine journals. Annual cost of the coral monitoring program funded through the EPA South Florida Geographic Initiative is historically around 15% (\$300,000) of total amount available (\$1.6 million to \$2 million). More information about the FKNMS Water Quality and Protection Program and the CREMP Program may be found http://ocean.floridamarine.org/fknms\_wqpp/about.htm[ocean.floridamarine.org].

A more detailed description of the Water Quality Protection Program (WQPP) which is the Program that implements the South Florida Geographic Initiative:

- EPA established this Initiative as directed by Public Law 101-605 Florida Keys National Marine Sanctuaries (FKNMS) Act of 1990.
- Public Law (101-605) directed EPA to create a Water Quality Protection Program for the Florida Keys National Marine Sanctuary; it was the first of its kind in the Nation.
- It supports a world-class water quality, coral and seagrass monitoring program that provides the scientific foundation for the Sanctuary
- The WQPP initiated wastewater and stormwater improvements that eliminated ≈ 25,000 nonfunctioning septic tanks in the Keys to reduce beach closures and improve nearshore water quality.
- Currently funded projects include: restoring residential canals, sponge restoration in Florida Bay to improve water quality and fishery habitat, and mosquito control research.
- The South FL Geographic Initiative also funds the EPA Everglades Ecosystem Assessment Program (EMAP) that monitors the health of the Everglades to assess threats from mercury, phosphorus and other damaging pollutants. The program provided funding to assist Florida with maximizing nutrient (pollution) removal by water quality treatment wetlands so that all of the Everglades, including Everglades National Park, is protected from phosphorus pollution.
- For twenty-five years, EPA has partnered with local governments, state agencies and universities to protect and restore water quality essential to sustaining swimmable beaches, recreational and commercial fisheries, safe and reliable drinking water and a healthy coral reef ecosystem.
- The FKNMS Act directs EPA to co-chair (along with the Florida DEP) a WQPP Steering Committee charged with protecting and restoring water quality, corals, fishing and recreational opportunities within the Sanctuary. Since 1992, federal, state, and local officials have met twice a year to develop and recommend corrective actions, management activities, funding, monitoring, and Sanctuary research to address water quality concerns and coral decline. The ≈\$2M/year funding provided by EPA is leveraged with the State of Florida and local funding to manage and support the Water Quality Protection Program in the Keys.

Current projects: residential canal restoration projects to improve the water quality for residents living along
polluted canals; mosquito control research to protect public health (zika & dengue) and the marine resources
within the Sanctuary; and sponge restoration projects to restore sponge species that serve as fish nurseries after
die-offs from algal blooms.

The allocation for FY16 was \$1,452,000.

From: Mooney, Chris [mailto:Chris.Mooney@washpost.com]

Sent: Monday, May 15, 2017 4:17 PM

To: Harris-Young, Dawn < Harris-Young. Dawn@epa.gov>

Subject: RE: press query

Ok thank you. That would be fine.

cm

Chris Mooney
The Washington Post
@chriscmooney
Chris.mooney@washpost.com
202-334-9374

From: Harris-Young, Dawn [mailto:Harris-Young.Dawn@epa.gov]

Sent: Monday, May 15, 2017 4:10 PM

To: Mooney, Chris < Chris. Mooney@washpost.com >

Subject: FW: press query

Hi Chris,

I received your inquiry and am working on your request for information, but might not have the information until tomorrow.

Dawn

Dawn Harris Young
Public Affairs Specialist
U.S. Environmental Protection Agency, Region 4
Office of External Affairs
404-562-8421 (office)
harris-young.dawn@epa.gov

https://www.epa.gov/aboutepa/about-epa-region-4-southeast[epa.gov] Follow Region 4 on Twitter: www.twitter.com/EPASoutheast[twitter.com]

and Facebook: www.facebook.com/eparegion4[facebook.com]

From: Mooney, Chris [mailto:Chris.Mooney@washpost.com]

Sent: Monday, May 15, 2017 2:09 PM

To: Blackburn, Steven <Blackburn.Steven@epa.gov>

Subject: press query

Hi Steven Blackburn,

This is Chris Mooney with the Washington Post. I got your name from Rhonda Hagg in the Keys.

For a story about the Florida coral reef, I am trying to determine which parts of EPA fund the water quality protection protection program for the Keys that in turn affects the marine sanctuary and the reef. Is this the same thing as the agency's South Florida Geographic Program?

Any help you could provide to allow me to understand which EPA program this is, and how much its budget is, would be great. Thank you

Chris Mooney

Chris Mooney
The Washington Post
@chriscmooney
Chris.mooney@washpost.com
202-334-9374

From: Lynn, Tricia [lynn.tricia@epa.gov]

**Sent**: 6/20/2017 1:50:49 PM

**To**: Ariel Wittenberg [awittenberg@eenews.net]

**Subject**: RE: WOTUS repeal -- E&E News

Ariel-

For attribution to an EPA spokesperson,

The proposal is currently under interagency review at OMB. EPA will issue the proposal after that process is complete.

Best,

Tricia

From: Ariel Wittenberg [mailto:awittenberg@eenews.net]

Sent: Tuesday, June 20, 2017 9:35 AM

To: Lynn, Tricia <lynn.tricia@epa.gov>; Press <Press@epa.gov>

**Cc:** Valentine, Julia <Valentine.Julia@epa.gov> **Subject:** RE: WOTUS repeal -- E&E News

Hi Tricia,

Hoping for an answer to this ...

Ariel

From: Ariel Wittenberg

Sent: Monday, June 19, 2017 10:49 AM

To: 'Lynn, Tricia' < <a href="mailto:lynn.tricia@epa.gov">!ynn.tricia@epa.gov">!ynn.tricia@epa.gov</a>; Press <a href="mailto:Press@epa.gov">Press@epa.gov</a>>

Cc: Valentine, Julia < Valentine. Julia@epa.gov > Subject: RE: WOTUS repeal -- E&E News

Sorry, end of the day—4 p.m.

From: Lynn, Tricia [mailto:lynn.tricia@epa.gov]

Sent: Monday, June 19, 2017 10:48 AM

To: Ariel Wittenberg <a wittenberg@eenews.net>; Press <Press@epa.gov>

Cc: Valentine, Julia < Valentine Julia@epa.gov >

Subject: RE: WOTUS repeal -- E&E News

Hi Ariel. What's your deadline, please?

---Tricia

Tricia Lynn
Office of Public Affairs
U.S. EPA

Office: 202.564.2615

From: Ariel Wittenberg [mailto:awittenberg@eenews.net]

Sent: Monday, June 19, 2017 10:37 AM

To: Press < Press@epa.gov>

Cc: Valentine, Julia < Valentine, Julia @epa.gov>

Subject: WOTUS repeal -- E&E News

Hi all,

Hope everyone had a great weekend! Just wondering if you have a timeline for when the proposed rule to repeal WOTUS currently with OIRA might actually be proposed/move to the federal register. On background is fine.

Ariel

Ariel Wittenberg
E&E News reporter
awittenberg@eenews.net
202-737-4557
@arielwittenberg

#### **E&E NEWS**

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Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM, E&ETV

Best,

Tricia

From: Jennifer Huizen [mailto Ex. 6 Personal Privacy (PP)

**Sent:** Thursday, June 15, 2017 12:22 PM **To:** Lynn, Tricia <lynn.tricia@epa.gov>

Subject: Re: Your EPA Inquiry

I do not per say have a hard deadline per say but beyond a week or two may make my editor want to ax the story given relevance.

Best wishes, Jennifer

On Thu, Jun 15, 2017 at 1:15 PM, Lynn, Tricia < lynn.tricia@epa.gov > wrote:

Hi Jennifer-

I've received your EPA inquiry, pasted below. Can you please share your hard deadline?

Thanks so much,

Tricia

5.) If any legal violations occur as a result of the loss of the GLRI what are the binding legal repercussions and
would these repercussions be enough to potentially help save (hypothetically of course) the GLRI?

Jennifer Huizen

Ex. 6 Personal Privacy (PP) / @J\_Huizen
https://www.linkedin.com/in/jennifer-huizen-b61703aa/

https://about.me/jhuizen

From: Elvina Nawaguna [ElvinaNawaguna@cqrollcall.com]

**Sent**: 6/12/2017 7:00:59 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]

Subject: RE: 1PM Embargo: EPN Budget Analysis for Today's Press Call

That's fine.

Elvina Nawaguna Energy and Environment Reporter CQ Roll Call 1625 Eye St. NW #200 Washington, DC 20006

Cell: Ex. 6 Personal Privacy (PP)

Desk: 202-650-6597



From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]

**Sent:** Monday, June 12, 2017 3:01 PM

To: Elvina Nawaguna

Subject: RE: 1PM Embargo: EPN Budget Analysis for Today's Press Call

Yes, but I am about to head to a meeting – can I call you in like an hour?

From: Elvina Nawaguna [mailto:ElvinaNawaguna@cqrollcall.com]

**Sent:** Monday, June 12, 2017 2:49 PM **To:** Bowman, Liz <<u>Bowman.Liz@epa.gov</u>>

Subject: RE: 1PM Embargo: EPN Budget Analysis for Today's Press Call

Hi Liz,

Would you call me if/when you have a minute?

Elvina Nawaguna

**Energy and Environment Reporter** 

CQ Roll Call

1625 Eye St. NW #200 Washington, DC 20006

Cell: Ex. 6 Personal Privacy (PP) Desk: 202-650-6597



From: Elvina Nawaguna

**Sent:** Monday, June 12, 2017 2:28 PM

**To:** Press; Bowman, Liz

Subject: FW: 1PM Embargo: EPN Budget Analysis for Today's Press Call

#### Hi Liz,

Any chance I'd get a response from Admin. Pruitt or his office on some of the criticisms in this report by former EPA officials on the budget request? I'm working on a deadline of 3:30 p.m. thanks.

Elvina Nawaguna
Energy and Environment Reporter
CQ Roll Call
1625 Eye St. NW #200
Washington, DC 20006
Cell: Ex.6 Personal Privacy (PP)

Desk: 202-650-6597



From: Liz Purchia Gannon [mailto:liz@riffcitystrategies.com]

**Sent:** Monday, June 12, 2017 12:00 PM

**To:** Liz Purchia Gannon

Subject: 1PM Embargo: EPN Budget Analysis for Today's Press Call

Under embargo until 1PM ET, attached is the budget analysis created by the Environmental Protection Network that is being released today and will be discussed on the call at 1PM.

EPN is a newly formed bipartisan network of scientists, lawyers, economists, engineers and policy experts who carried out the day to day functions at EPA over many years and numerous administrations that moved our country toward cleaner air and water, cleaned up contaminated sites and started the progress toward greenhouse gas reductions.

Unfortunately, EPN does not have a website at this time to provide a web link. The participants can speak more about the future of EPN.



On Mon, Jun 12, 2017 at 8:52 AM Liz Purchia Gannon < liz@riffcitystrategies.com > wrote:

In advance of EPA Administrator Scott Pruitt's budget hearing on Thursday, the Environmental Protection Network, a bi-partisan network of former EPA employees and related federal and state agencies, will host a press call at 1PM today to release the findings of their budget analysis.

The budget analysis will be shared at 12PM

## Former EPA Staff Host Press Call to Release FY18 Budget Analysis in Advance of Administrator Pruitt's Senate Hearing

(Washington, D.C)-- Monday, June 12, three days before Environmental Protection Agency (EPA) Administrator Scott Pruitt's Senate Hearing on the FY18 EPA budget, the co-founders and board members of the Environmental Protection Network, a bi-partisan network of former EPA employees and related federal and state agencies, will host a press call to release the findings of their budget analysis. Their analysis highlights how deep cuts to the EPA will devastate the health and well-being of American families and

children. The speakers will call for more robust EPA funding so it can address ongoing and future challenges and meet the responsibilities Congress gave it over many years.

Trump's budget proposes a 31 percent cut to the EPA, but the real cuts are in the range of 42% after accounting for level funding of two large water infrastructure grant programs. This undermines vital programs that clean up contaminated sites and have over the years cleaned America's air and water. Trump's budget dis-empowers the agency and disables it from doing it's job, putting families at increased risk from toxic air pollution, lead in drinking water and smog associated with cancer and asthma attacks.

What: Press call featuring the co-founders and board members of the Environmental Protection Network to discuss the findings of their budget analysis document

When: Monday June 12, 2017 at 1:00pm ET

#### Who:

- George Wyeth, former EPA attorney who was at the agency for 27 years, holding positions in the General Counsel's office, the Policy Office and the Enforcement Office.
- Ruth Greenspan Bell, former EPA Assistant General Counsel for Toxics and Water, more recently working on climate policy in Washington. DC think-tanks.
- Caroline Isber, co-founder and member of the Board of EPN, former staffer at EPA, the White House Council on Environmental Quality, NOAA, HHS and NIH
- Sally Ericsson, former Associate Director for Natural Resources, Energy and Science at OMB and former Associate Director for Natural Resources at the White House Council on Environmental Quality

Dial-in: Ex. 6 Personal Privacy (PP) Pin Ex. 6 Personal Privacy (PP)

Reporters should dial in 5-10 minutes before the beginning of the call.

###

Liz Purchia Gannon Riff City Strategies I San Francisco + Des Moines Ex. 6 Personal Privacy (PP) cell @LizPurchia

Liz Purchia Gannon Riff City Strategies I San Francisco + Des Moines Ex. 6 Personal Privacy (PP) cell @LizPurchia

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From: Lynn, Tricia [lynn.tricia@epa.gov]

**Sent**: 5/23/2017 1:58:31 PM

To: Zahra Hirji [zahra.hirji@insideclimatenews.org]

Subject: RE: Media Request: Press Call today on the WH 18 Budget?

Hi Zahra-

For attribution to an EPA spokesperson: EPA will release the details of its budget on May 23, in coordination with OMB.

From: Zahra Hirji [mailto:zahra.hirji@insideclimatenews.org]

**Sent:** Tuesday, May 23, 2017 9:52 AM **To:** Lynn, Tricia <lynn.tricia@epa.gov>

Subject: Media Request: Press Call today on the WH 18 Budget?

Dear Lynn Tricia,

I'm a reporter for InsideClimate News writing about the President's Fiscal Year 2018 budget proposal. Will the EPA be holding a press call today, or releasing a statement, responding to the agency's funding levels detailed in the upcoming budget?

Best, Zahra Hirji

--

Science Writer
InsideClimate News
zahra.hirji@insideclimatenews.org
(202) 352-0557
@zhirji28

http://insideclimatenews.org/

From: Lynn, Tricia [lynn.tricia@epa.gov]

**Sent**: 6/2/2017 7:35:59 PM

To: Tom Jackson Ex. 6 Personal Privacy (PP)

Subject: FW: AMY/JAHAN - FOR REVIEW - Response to BNA RE: BEACH Act Grants - DEADLINE: 6/2/17

HI Tom-

For attribution to "an EPA spokesperson:"

After 15 years of giving states and tribes BEACH Act grants, states and tribes now have the technical expertise and procedures in place to run beach monitoring programs. The elimination of the Beaches Protection grant program is part of the effort to limit federal investment, returning the responsibility for implementing local environmental efforts and programs to state and local entities.

Resources have been eliminated for the Beaches Protection Program in FY 2018. EPA will encourage states to continue beach monitoring and notification programs. Please see pages 457, 459, and 726 of the Congressional Justification: <a href="https://www.epa.gov/sites/production/files/2017-05/documents/fy-2018-congressional-justification.pdf">https://www.epa.gov/sites/production/files/2017-05/documents/fy-2018-congressional-justification.pdf</a>

Best,			
Tricia			

From: Tom Jackson [mailto: Ex. 6 Personal Privacy (PP)

**Sent:** Thursday, June 01, 2017 11:12 AM **To:** Lynn, Tricia < lynn.tricia@epa.gov>

Subject: Re: budget inquiry

Hi Tricia,

I'm told that the budget proposal from the administration for 2018 eliminates beach bacteria testing funding under the Beach Act:

https://www.epa.gov/sites/production/files/2017-05/documents/fy-2018-congressional-justification.pdf

I was pointed to page 456 in the above document, "Beach Protection."

My story will be written today, and my interest in this is that Erie and Ottawa counties along Lake Erie carry out beach testing every summer, using EPA funds that come to us via the Ohio state health department. I'm told that we are fully funded for this year, but that next year is up to Congress and the Trump administration.

I'm appreciate anything you care to share with me. Thank you for your help.

Tom

From: Lyons, Troy [lyons.troy@epa.gov]

**Sent**: 5/19/2017 7:35:46 PM

To: Jackson, Ryan [jackson.ryan@epa.gov]; Freire, JP [Freire.JP@epa.gov]; Dravis, Samantha

[dravis.samantha@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Palich, Christian [palich.christian@epa.gov]

CC: Bowman, Liz [Bowman.Liz@epa.gov]; Konkus, John [konkus.john@epa.gov]; Ringel, Aaron [ringel.aaron@epa.gov];

Bennett, Tate [Bennett.Tate@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Wilcox, Jahan

[wilcox.jahan@epa.gov]

Subject: Nomination of Susan Bodine--Weekly Update
Attachments: Susan Bodine Weekly Update May 17.docx

FYI

Troy M. Lyons
Associate Administrator
Congressional & Intergovernmental Relations
U.S Environmental Protection Agency

Ex. 6 Personal Privacy (PP)

To: Bowman, Liz[Bowman.Liz@epa.gov]

**Cc:** Graham, Amy[graham.amy@epa.gov]; Konkus, John[konkus.john@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]

Ferguson, Lincoln[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=08CD7F82606244DE96B61B96681C46DE-FERGUSON, LI

**Sent:** Thur 6/1/2017 6:21:08 PM (UTC)

Subject: Re: Prepared remarks

All: BE SURE TO ONLY USE THE FINAL TEXT. Amy/john have that version and are formatting it.

This is EXTREMELY IMPORTANT that no other version goes out.

Sent from my iPhone

From:

On Jun 1, 2017, at 1:49 PM, Bowman, Liz < Bowman.Liz@epa.gov > wrote:

He just made a bunch more edits – these aren't final...please hold off. Sorry!

From: Graham, Amy

Sent: Thursday, June 1, 2017 1:45 PM

To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Konkus, John <konkus.john@epa.gov>; Wilcox, Jahan

<wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

**Subject:** Prepared remarks

Here is the final text of the Administrator's prepared remarks. Close hold on this until after the speech concludes.

To:

Graham, Amy [graham.amy@epa.gov] 6/1/2017 5:45:08 PM From:

Sent:

Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Konkus, John [konkus.john@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]

Subject: Prepared remarks Attachments: SP Paris FINAL.docx

Here is the final text of the Administrator's prepared remarks. Close hold on this until after the speech concludes.

From: Jones, Enesta [Jones.Enesta@epa.gov]

**Sent**: 5/31/2017 9:36:29 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]

CC: Jones, Enesta [Jones.Enesta@epa.gov]; Graham, Amy [graham.amy@epa.gov]

Subject: LIZ/NANCY: PITCH: EPA Staffer Named First Time Fellow from Government

Liz,

Here's the pitch thread between Kevin and I.

Will you and Nancy take it from here?

Enesta Jones
U.S. EPA
Office of Media Relations
Office: 202.564.7873
Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

Begin forwarded message:

From: Kevin Bogardus <a href="mailto:kbogardus@eenews.net">kbogardus@eenews.net</a>

Date: May 31, 2017 at 5:23:40 PM EDT

To: "Jones, Enesta" <Jones.Enesta@epa.gov>

Subject: RE: PITCH: EPA Staffer Named First Time Fellow from Government

Any update on this, Enesta? Let me know. Thanks.

Also, since I'm working from home tomorrow, please email me here or call my cell phone at [Ex. Extraord Privacy (PT)]

Thanks again for your help. Talk to you later.

-Kevin

From: Kevin Bogardus

**Sent:** Wednesday, May 31, 2017 10:53 AM **To:** 'Jones, Enesta' < <u>Jones.Enesta@epa.gov</u>>

Subject: RE: PITCH: EPA Staffer Named First Time Fellow from Government

Thanks for the pitch, Enesta. Yeah, I'm interested in this. Give me a call at [Ex. © Personal Privacy (PP)] Thanks again.

-Kevin

From: Jones, Enesta [mailto:Jones.Enesta@epa.gov]
Sent: Wednesday, May 31, 2017 5:53 AM
To: Kevin Bogardus <a href="mailto:Jones.Enesta@epa.gov">kbogardus@eenews.net</a>
Cc: Jones, Enesta <a href="mailto:Jones.Enesta@epa.gov">Jones.Enesta@epa.gov</a>

**Subject:** PITCH: EPA Staffer Named First Time Fellow from Government

Hi Kevin,

Hope all is well.

I have a story idea that I would like to pitch to you. It is under embargo until June 1.

One of our staffers has been named a Fellow for the Association of Environmental and Resource Economists (AERE). This honor recognizes the most distinguished "individuals who have made outstanding contributions to the advancement of the profession of environmental and resource economics." AERE is the leading association for environmental economics; it has more than 1,000 members from over 30 countries, representing academia, and the public and private sectors. He is the first Fellow from government.

Are you interested in an interview, or at least writing a blurb about it?

Enesta Jones
U.S. EPA
Office of Media Relations
Office: 202.564.7873
Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

From: Grantham, Nancy [Grantham.Nancy@epa.gov]

**Sent**: 5/31/2017 11:55:29 AM

To: Konkus, John [konkus.john@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov];

Graham, Amy [graham.amy@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]

**CC**: Grantham, Nancy [Grantham.Nancy@epa.gov]

Subject: 5/31 issues

Attachments: Document1 (005).docx

**To:** Jackson, Ryan[jackson.ryan@epa.gov]

Cc: Freire, JP[Freire.JP@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Graham, Amy[graham.amy@epa.gov]; Palich,

Christian[palich.christian@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]; Ringel, Aaron[ringel.aaron@epa.gov]

From: Lyons, Troy[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=15E4881C95044AB49C6C35A0F5EEF67E-LYONS, TROY]

**Sent:** Wed 5/17/2017 10:32:34 PM (UTC)

Subject: Susan Bodine Update

<u>Update</u>

# Ex. 5 Deliberative Process (DP)

Troy M. Lyons
Associate Administrator
Congressional & Intergovernmental Relations
U.S Environmental Protection Agency

Ex. 5 Deliberative Process (DP)

From: Lyons, Troy [lyons.troy@epa.gov]

**Sent**: 5/17/2017 4:46:55 PM

To: Freire, JP [Freire.JP@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Wilcox,

Jahan [wilcox.jahan@epa.gov]; Konkus, John [konkus.john@epa.gov]

CC: Ex. 6 Personal Privacy (PP) Palich, Christian [palich.christian@epa.gov]

**Subject**: FW: press **Attachments**: BNA article.pdf

Flag: Flag for follow up

Susan—I have copied our press team so we can coordinate a press strategy from now—hearing—post-hearing—confirmation

OPA Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: Bodine, Susan (EPW) [mailto:Susan\_Bodine@epw.senate.gov]

**Sent:** Tuesday, May 16, 2017 12:44 PM **To:** Lyons, Troy <lyons.troy@epa.gov>

Subject: press

## Ex. 5 Deliberative Process (DP)

Susan Parker Bodine
Chief Counsel
U .S. Senate Environment & Public Works Committee
410 Dirksen Senate Office Building
Washington, DC 20510
202-224-6176

From: Sowell, Sarah [Sowell.Sarah@epa.gov]

**Sent**: 5/5/2017 9:23:42 PM

To: Reeder, John [Reeder.John@epa.gov]; Flynn, Mike [Flynn.Mike@epa.gov]; Grantham, Nancy

[Grantham.Nancy@epa.gov]; Hull, George [Hull.George@epa.gov]; Fonseca, Silvina [Fonseca.Silvina@epa.gov]; Vizian, Donna [Vizian.Donna@epa.gov]; Freire, JP [Freire.JP@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]

Subject: THIS VERSION IS EASIER TO READ -- RE: Next week's Senior Leader message -- coordination

Attachments: Clean Draft SLM - Public Service Recognition Week-Sammie Finalists 050517.docx

Folks,

You might find this version to be an easier read without all the redline.

Sarah

Sarah N. Sowell, Director, Office of Internal Communications
Office of Public Affaris
U.S. Environmental Protection Agency / OPA/OIC
William Jefferson Clinton Bldg/North, Room 2502-L / MC 1701-A
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Tel: 202-564-0145 // Cell: Ex. 6 Personal Privacy (PP)



From: Sowell, Sarah

**Sent:** Friday, May 5, 2017 5:04 PM

**To:** Reeder, John <Reeder.John@epa.gov>; Flynn, Mike <Flynn.Mike@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Hull, George <Hull.George@epa.gov>; Fonseca, Silvina <Fonseca.Silvina@epa.gov>; Vizian, Donna <Vizian.Donna@epa.gov>; Freire, JP <Freire.JP@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov> **Subject:** RE: Next week's Senior Leader message -- coordination

Folks,

Attached is the draft of a proposed Senior Leadership Message from the Administrator about Public Service Recognition Week and EPA's Sammie Award finalists. I believe completes step 2 of the process outlined in John's message below. Pending your comments/approval **this evening**, Mike or John will secure Ryan's approval to publish this internally on Monday (5/8).

Thanks, Sarah Sarah N. Sowell, Director, Office of Internal Communications
Office of Public Affaris
U.S. Environmental Protection Agency / OPA/OIC
William Jefferson Clinton Bldg/North, Room 2502-L / MC 1701-A
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Tel: 202-564-0145 // Cell: Ex. 6 Personal Privacy (PP)

<< File: Draft SLM - Public Service Recognition Week-Sammie Finalists\_050517.docx >>

From: Reeder, John

**Sent:** Friday, May 5, 2017 12:48 PM **To:** Flynn, Mike <Flynn.Mike@epa.gov>

**Cc:** Grantham, Nancy <Grantham.Nancy@epa.gov>; Sowell, Sarah <Sowell.Sarah@epa.gov>; Hull, George <Hull.George@epa.gov>; Fonseca, Silvina <Fonseca.Silvina@epa.gov>; Vizian, Donna <Vizian.Donna@epa.gov>

Subject: Next week's Senior Leader message -- coordination

Hi Mike and team,

To ensure coordination, I'm including several cc's here.

I spoke with Donna about the concept that Mike and I talked about this AM. That is...for MONDAY's Senior Leader message, the Administrator would talk about Public Service Recognition Week, and also highlight EPA's two Sammie award winners.

Donna spoke with Ryan just now, AND RYAN APPROVED THE CONCEPT!

## **Proposed NEXT STEPS**



ALL OF THIS IS CLOSE HOLD...ESP Sammie winners – totally embargoed.

Thank you all,

JReeder 202 564 6082 (direct)

From: Sowell, Sarah [Sowell.Sarah@epa.gov]

**Sent**: 5/5/2017 9:03:51 PM

To: Reeder, John [Reeder.John@epa.gov]; Flynn, Mike [Flynn.Mike@epa.gov]; Grantham, Nancy

[Grantham.Nancy@epa.gov]; Hull, George [Hull.George@epa.gov]; Fonseca, Silvina [Fonseca.Silvina@epa.gov]; Vizian, Donna [Vizian.Donna@epa.gov]; Freire, JP [Freire.JP@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]

**Subject**: RE: Next week's Senior Leader message -- coordination

Attachments: Draft SLM - Public Service Recognition Week-Sammie Finalists 050517.docx

### Folks,

Attached is the draft of a proposed Senior Leadership Message from the Administrator about Public Service Recognition Week and EPA's Sammie Award finalists. I believe completes step 2 of the process outlined in John's message below. Pending your comments/approval this evening, Mike or John will secure Ryan's approval to publish this internally on Monday (5/8).

Thanks, Sarah

Sarah N. Sowell, Director, Office of Internal Communications
Office of Public Affaris
U.S. Environmental Protection Agency / OPA/OIC
William Jefferson Clinton Bldg/North, Room 2502-L / MC 1701-A
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Tel: 202-564-0145 // Cell: Ex. 6 Personal Privacy (PP)



Service Recognit...

From: Reeder, John

**Sent:** Friday, May 5, 2017 12:48 PM **To:** Flynn, Mike <Flynn.Mike@epa.gov>

**Cc:** Grantham, Nancy <Grantham.Nancy@epa.gov>; Sowell, Sarah <Sowell.Sarah@epa.gov>; Hull, George <Hull.George@epa.gov>; Fonseca, Silvina <Fonseca.Silvina@epa.gov>; Vizian, Donna <Vizian.Donna@epa.gov>

Subject: Next week's Senior Leader message -- coordination

Hi Mike and team,

To ensure coordination, I'm including several cc's here.

I spoke with Donna about the concept that Mike and I talked about this AM. That is...for MONDAY's Senior Leader message, the Administrator would talk about Public Service Recognition Week, and also highlight EPA's two Sammie award winners.

## **Proposed NEXT STEPS**



ALL OF THIS IS CLOSE HOLD...ESP Sammie winners – totally embargoed.

Thank you all,

JReeder 202 564 6082 (direct)

From: Hull, George [Hull.George@epa.gov]

**Sent**: 5/5/2017 5:29:18 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Freire, JP [Freire.JP@epa.gov]

**Subject**: RE: Next week's Senior Leader message -- coordination

We working on it now and will get it to you as soon as its written. - George

From: Bowman, Liz

Sent: Friday, May 05, 2017 1:12 PM

To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Freire, JP <Freire.JP@epa.gov>

Cc: Hull, George < Hull.George@epa.gov>

Subject: RE: Next week's Senior Leader message -- coordination

Yes, please.

From: Grantham, Nancy

**Sent:** Friday, May 5, 2017 12:56 PM

To: Freire, JP < Freire, JP@epa.gov >; Bowman, Liz < Bowman, Liz@epa.gov >

Cc: Hull, George < Hull. George@epa.gov>

Subject: FW: Next week's Senior Leader message -- coordination

JP and Liz,

I assume you may want someone on your team to take a look a the draft described below, for the weekly internal newsletter, before it is finalized.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Ex. 6 Personal Privacy (PP) (mobile)

From: Reeder, John

Sent: Friday, May 05, 2017 12:48 PM
To: Flynn, Mike < Flynn. Mike@epa.gov>

Cc: Grantham, Nancy <<u>Grantham.Nancy@epa.gov</u>>; Sowell, Sarah <<u>Sowell.Sarah@epa.gov</u>>; Hull, George <<u>Hull.George@epa.gov</u>>; Fonseca, Silvina <<u>Fonseca.Silvina@epa.gov</u>>; Vizian, Donna <<u>Vizian.Donna@epa.gov</u>>

Subject: Next week's Senior Leader message -- coordination

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To ensure coordination, I'm including several cc's here.

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Donna spoke with Ryan just now, AND RYAN APPROVED THE CONCEPT!

## **Proposed NEXT STEPS**



ALL OF THIS IS CLOSE HOLD...ESP Sammie winners - totally embargoed.

Thank you all,

JReeder 202 564 6082 (direct)

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 4/25/2017 3:05:29 PM

To: Emily Anthes Ex. 6 Personal Privacy (PP)

Subject: RE: Subject: Interview Request for New York Times Magazine Story on Feline Hyperthyroidism

Dear Emily, for attribution to "an EPA spokesperson," please:

"Dr. Dye and her co-authors were the first investigators to look at levels of the persistent flame retardant class known as the PBDEs, in cats, as a possible surrogate or "sentinel" for human exposure.

See <a href="https://www.ncbi.nlm.nih.gov/pubmed/17948778">https://www.ncbi.nlm.nih.gov/pubmed/17948778</a>. While domestic cats appear to be good *situational exposure* sentinels for indoor vs outdoor exposures, the researchers caution that these types of cross-sectional studies can only be used to screen for potential associations between exposure and subject factors or disease. Any associations they observed should NOT and can NOT be considered causal."

Very best, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

From: Emily Anthes [mailto: Ex. 6 Personal Privacy (PP)

Sent: Monday, April 24, 2017 9:12 AM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

Cc: Dye, Janice < Dye.Janice@epa.gov>

Subject: Re: Subject: Interview Request for New York Times Magazine Story on Feline Hyperthyroidism

Hi Robert,

Sorry to pester, but I just wanted to remind you that my deadline is this Thursday, so I'd need to talk with Dr. Dye by the end of the day on Wednesday, at the latest. Do you think that might be possible? I'd hate to write about her work without talking to her.

Best, Emily

On Wed, Apr 19, 2017 at 10:52 AM, Emily Anthes (Ex. 6 Personal Privacy (PP) wrote:

Great--I appreciate it! Please let me know if there's anything I can do to help.

On Wed, Apr 19, 2017 at 7:40 AM, Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u>> wrote:

Good morning Emily,

Still working on this for you. Sorry for the delay in responding.

Very best, R.
From: Emily Anthes [mailto: Ex. 6 Personal Privacy (PP)]  Sent: Tuesday, April 18, 2017 5:19 PM  To: Daguillard, Robert < Daguillard.Robert@epa.gov >  Cc: Dye, Janice < Dye.Janice@epa.gov >  Subject: Re: Subject: Interview Request for New York Times Magazine Story on Feline Hyperthyroidism
Hi Robert,
I wanted to follow up one more time about arranging an interview with Dr. Dye. My story will be looking, in detail, at the theory that PBDEs might be contributing to feline hyperthyroidism, and since Dr. Dye authored the first paper on that hypothesis, I would very much like to speak with her about it. (I spoke with Linda Birnbaum about the study this afternoon, but it would be great to get Dr. Dye's perspective, especially because she seemed to be the first one to put the pieces together.)
My story's due next Thursday, April 27, so we'd need to arrange something before then. Please let me know if that's possible.
Best,
Emily
On Tue, Apr 11, 2017 at 12:38 PM, Emily Anthes (Ex. 6 Personal Privacy (PP)) wrote: Hi Robert,
Just following up on my interview request. (I wrote to you Monday, but you were out of the office, so I thought I'd try again.) I'd still love to interview Dr. Dye in the next week or so. Might that be possible?
Best,
Emily

On Fri, Apr 7, 2017 at 11:29 AM, Emily Anthes < Ex. 6 Personal Privacy (PP) wrote:
Hi Robert,
I just wanted to follow up on this. Do you think I might be able to arrange a phone interview with Dr. Dye for sometime next week?
Best,
Emily
On Tue, Apr 4, 2017 at 10:36 AM, Emily Anthes (Ex. 6 Personal Privacy (PP)) wrote:
ni Robert,
Thanks for reaching out.
It would be a pretty straightforward interview. My story will mainly focus on the question of whether PBDEs might be contributing to the rise of hyperthyroidism in cats. From what I can tell, in 2007, Dr. Dye wrote one of the first papers to raise this question. So I'd like to discuss that paper with her. (This is the paper in question: <a href="http://pubs.acs.org/doi/abs/10.1021/es0708159">http://pubs.acs.org/doi/abs/10.1021/es0708159</a> ). I'm curious to know what made her suspect PBDEs in the first place and then to walk through the study with her, discussing what she and her colleagues found and what the implications of their findings might be. I'd also like to ask her about the notion that these cats might be sentinels for humansand what we might learn about risks to human health from studying cats with hyperthyroidism.
Does that make sense? Happy to chat more if you have more questions.
Best,
Emily
On Tue, Apr 4, 2017 at 9:42 AM, Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u> > wrote:
, r , , , , ,

Good morning Emily, I work in EPA's Office of Media Relations. Janice Dye, from our Office of Research and Development, forwarded us your inquiry. Perhaps you could send us some questions? Also, are there any specific studies or papers by Dr. Dye that you'd like to discuss? Happy to chat later, if it helps. Thanks, R. From: Emily Anthes [mailto: Ex. 6 Personal Privacy (PP) Sent: Thursday, March 30, 2017 7:34 PM **To:** Dye, Janice < Dye.Janice@epa.gov> Subject: Interview Request for New York Times Magazine Story on Feline Hyperthyroidism Dear Dr. Dye, My name is Emily Anthes, and I'm a freelance science journalist. I'm writing a feature for the New York Times Magazine about hyperthyroidism in cats. The story is for an upcoming special issue that will focus on the connection between human and animal health. My feature will chronicle the rise of feline hyperthyroidism, explore the potential causes of the disease, and discuss whether these cats may be sentinels for threats to human health. I'd love to talk with you about these issues and your work in this area. Unfortunately, I'm on a pretty tight deadline, so I'm hoping that we can arrange a phone interview for sometime in the next week or two. I'm happy to work around your schedule.

Thanks for your time. I look forward to hearing more.

Best, Emily **Emily Anthes** Science Writer Author of Frankenstein's Cat E-mail: emily@emilyanthes.com Web: emilyanthes.com Twitter: @EmilyAnthes Robert Daguillard Office of Media Relations U.S. Environmental Protection Agency Washington, DC +1 (202) 564-6618 (O) Ex. 6 Personal Privacy (PP) (M) **Emily Anthes** 

Science Writer

Author of Frankenstein's Cat

E-mail: emily@emilyanthes.com

Web: emilyanthes.com Twitter: @EmilyAnthes --

Emily Anthes Science Writer

Author of Frankenstein's Cat

E-mail: <a href="mailto:emily@emilyanthes.com">emily@emilyanthes.com</a>

Web: <u>emilyanthes.com</u> Twitter: @EmilyAnthes

--

Emily Anthes Science Writer

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--

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Web: <u>emilyanthes.com</u> Twitter: @EmilyAnthes Emily Anthes Science Writer Author of *Frankenstein's Cat* 

E-mail: emily@emilyanthes.com

Web: <u>emilyanthes.com</u> Twitter: @EmilyAnthes

Emily Anthes Science Writer Author of *Frankenstein's Cat* 

E-mail: emily@emilyanthes.com

Web: emilyanthes.com
Twitter: @EmilyAnthes

 From:
 Freire, JP [Freire.JP@epa.gov]

 Sent:
 4/21/2017 10:41:59 PM

To: Graham, Amy [graham.amy@epa.gov]

CC: Bowman, Liz [Bowman.Liz@epa.gov]; Konkus, John [konkus.john@epa.gov]; Ferguson, Lincoln

[ferguson.lincoln@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]

**Subject**: Re: Earth Day address press release

He's on now.

J.P. Freire

Environmental Protection Agency
Associate Administrator for Public Affairs

Mobile: Ex. 6 Personal Privacy (PP)

On Apr 21, 2017, at 5:39 PM, Graham, Amy <graham.amy@epa.gov> wrote:

I thought he spoke at 5:45. I don't think it matters frankly.

From: Freire, JP

Sent: Friday, April 21, 2017 6:39 PM
To: Graham, Amy <graham.amy@epa.gov>

Cc: Bowman, Liz <Bowman, Liz@epa.gov>; Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln

<ferguson.lincoln@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>

Subject: Re: Earth Day address press release

May just want to embargo until delivery. That way it doesn't matter if it sends after.

J.P. Freire

Environmental Protection Agency Associate Administrator for Public Affairs

Mobile: Ex. 6 Personal Privacy (PP)

On Apr 21, 2017, at 5:31 PM, Graham, Amy <graham.amy@epa.gov> wrote:

Okay, thanks all. Will have Cathy hit send.

From: Freire, JP

**Sent:** Friday, April 21, 2017 6:31 PM

To: Graham, Amy <graham.amy@epa.gov>

Cc: Bowman, Liz <<u>Bowman.Liz@epa.gov</u>>; Konkus, John <<u>konkus.john@epa.gov</u>>; Ferguson, Lincoln <<u>ferguson.lincoln@epa.gov</u>>; Wilcox, Jahan <<u>wilcox.jahan@epa.gov</u>>

**Subject:** Re: Earth Day address press release

Great.

J.P. Freire

Environmental Protection Agency Associate Administrator for Public Affairs

Mobile: (Ex. 6 Personal Privacy (PP)

Sorry, changing the quote:

## Ex. 5 Deliberative Process (DP)

From: Graham, Amy
Sent: Friday, April 21, 2017 6:19 PM
To: Freire, JP < Freire JP@epa.gov>; Bowman, Liz
<Bowman.Liz@epa.gov>; Konkus, John < konkus.john@epa.gov>
Cc: Ferguson, Lincoln < ferguson.lincoln@epa.gov>; Wilcox, Jahan
<wilcox.jahan@epa.gov>
Subject: RE: Earth Day address press release

Updated release below with a quote included. Please send any edits as soon as possible.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

To: Freire, JP[Freire.JP@epa.gov]; Hombuckle, Wyn (OPA)[Wyn.Hornbuckle@usdoj.gov]

**Cc:** Bowman, Liz[Bowman.Liz@epa.gov]

From: Navas, Nicole (OPA)[Nicole.Navas@usdoj.gov]

**Sent:** Thur 5/11/2017 8:59:03 PM (UTC)

Subject: RE: Pebble

Hi JP,

We believe your Hill notifications will be sufficient. Liz Bowman sent us a revised pr, which we are reviewing now. Thank you

Nicole A. Navas
Spokesperson/Public Affairs Specialist
U.S. Department of Justice (DOJ)
202-514-1155 (office)

Ex. 6 Personal Privacy (PP) (cell)
Nicole. Navas@usdoj.gov

**From:** Freire, JP [mailto:Freire.JP@epa.gov] **Sent:** Thursday, May 11, 2017 1:11 PM

To: Hornbuckle, Wyn (OPA) < whornbuckle@jmd.usdoj.gov>

Cc: Navas, Nicole (OPA) <nnavas@jmd.usdoj.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Pebble

Hi Wyn and Nicole,

Thanks for emailing and I know you guys are just buried. Yes, we're just pulling together the information at this point for a release. My understanding is that Ex. 5 Deliberative Process (DP) and so we're just trying to have all the information on hand so we're ready (and accurate) when discussing. I'm adding Liz to the thread just so she's aware. Of course, I know that you have a congressional affairs team—how does notification work on your end?

I'll pass along a draft release as soon as it's ready.

JΡ

From: Hornbuckle, Wyn (OPA) [mailto:Wyn.Hornbuckle@usdoj.gov]

**Sent:** Thursday, May 11, 2017 12:57 PM **To:** Freire, JP < Freire. JP@epa.gov >

Cc: Navas, Nicole (OPA) < Nicole.Navas@usdoj.gov>

Subject: Pebble

Hi JP – I understand you may be working up a press strategy for Pebble settlement. Can you loop us into that? My colleague Nicole Navas handles the Civil Division, which is lead in this matter.

Thanks! Wyn

Wyn Hornbuckle
Deputy Director, Office of Public Affairs
U.S. Department of Justice
202-514-2007
wyn.hornbuckle@usdoj.gov

To: Bowman, Liz[Bowman.Liz@epa.gov]

From: Freire, JP[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=11603DCE40A1499E8E9C17EAED000AD1-FREIRE, JOH]

**Sent:** Thur 5/11/2017 5:13:44 PM (UTC)

Subject: RE: Pebble

Obviously. Have you been in touch with her?

From: Bowman, Liz

**Sent:** Thursday, May 11, 2017 1:12 PM **To:** Freire, JP < Freire. JP @epa.gov>

Subject: Re: Pebble

We are sending to Flores once it's ready before these folks

Sent from my iPhone

On May 11, 2017, at 1:11 PM, Freire, JP < Freire. JP@epa.gov > wrote:

Hi Wyn and Nicole,

Thanks for emailing and I know you guys are just buried. Yes, we're just pulling together the information at this point for a release. My understanding is **Ex. 5 Deliberative Process (DP)** and so we're just trying to have all the information on hand so we're ready (and accurate) when discussing. I'm adding Liz to the thread just so she's aware. Of course, I know that you have a congressional affairs team—how does notification work on your end?

I'll pass along a draft release as soon as it's ready.

JP

From: Hornbuckle, Wyn (OPA) [mailto:Wyn.Hornbuckle@usdoj.gov]

**Sent:** Thursday, May 11, 2017 12:57 PM **To:** Freire, JP < Freire. JP@epa.gov>

Cc: Navas, Nicole (OPA) < Nicole. Navas@usdoj.gov>

Subject: Pebble

Hi JP – I understand you may be working up a press strategy for Pebble settlement. Can you loop us into that? My colleague Nicole Navas handles the Civil Division, which is lead in this matter.

Thanks! Wyn

Wyn Hornbuckle
Deputy Director, Office of Public Affairs
U.S. Department of Justice
202-514-2007
wyn.hornbuckle@usdoj.gov

From: Valentine, Julia [Valentine.Julia@epa.gov]

**Sent**: 5/10/2017 9:17:17 PM

**To**: Juan Carlos Rodriguez [jc.rodriguez@law360.com]

**CC**: Lynn, Tricia [lynn.tricia@epa.gov]

Subject: Re: EPA and U.S. Army Solicit State Input on Redefining "Waters of the U.S."

Hi Juan Carlos,

For attribution to an agency spokesperson: Yes. The letters are going to the governors of all states and territories.

Thanks

From: Juan Carlos Rodriguez [mailto:<u>ic.rodriguez@law360.com</u>]

**Sent:** Tuesday, May 09, 2017 12:37 PM

To: Press < Press@epa.gov>

Subject: Re: EPA and U.S. Army Solicit State Input on Redefining "Waters of the U.S."

Hi, did this letter go to the governors of all 50 states?

On Tue, May 9, 2017 at 11:00 AM, Cathy Milbourn <milbourn.cathy@epa.gov> wrote:



## **CONTACT:**

press@epa.gov

## FOR IMMEDIATE RELEASE

May 9, 2017

## EPA and U.S. Army Solicit State Input on Redefining "Waters of the U.S."

"EPA is restoring states' important role in the regulation of water" - Administrator Pruitt

**WASHINGTON** – U.S. Environmental Protection Agency and the U.S. Army sent a letter to governors today soliciting input from states on a new definition of protected waters that is in-line with a Supreme Court Justice Antonin Scalia's opinion in the 2006 Rapanos v. United States case. Scalia's definition explains that federal

oversight should extend to "relatively permanent" waters and wetlands with a "continuous surface connection" to large rivers and streams.

"EPA is restoring states' important role in the regulation of water," **said EPA Administrator Scott Pruitt**. "Like President Trump, I believe that we need to work with our state governments to understand what they think is the best way to protect their waters, and what actions they are already taking to do so. We want to return to a regulatory partnership, rather than regulate by executive fiat."

"The Army, together with the Corps of Engineers, is committed to working closely with and supporting the EPA on these rulemakings. As we go through the rulemaking process, we will continue to make the implementation of the Clean Water Act Section 404 regulatory program as transparent as possible for the regulated public, "said Douglas Lamont, senior official performing the duties of the Assistant Secretary of the Army for Civil Works.

The Clean Water Act asserts federal control over "traditionally navigable waters" without providing clarity or details about the law's scope. President Donald Trump signed an executive order on February 28, 2017 to direct federal agencies to roll back and replace the Obama Administration's Clean Water Rule – also known as the "Waters of the U.S." or WOTUS – to ensure that the nation's navigable waters are kept free from pollution, while at the same time promoting economic growth, minimizing regulatory uncertainty, and showing due regard for the roles of Congress and the States under the Constitution.

To meet the objectives of the executive order, federal agencies are following a two-step process that will provide as much certainty as possible, as quickly as possible, to the regulated community and the public during the development of the replacement rule.

The first step is to revise the Code of Federal Regulations to re-codify the definition of "Waters of the United States" which currently governs administration of the Clean Water Act, in light of a decision by the U.S. Court of Appeals for the Sixth Circuit staying a definition of "Waters of the United States" promulgated by the agencies in 2015. This action will simply make the text of the Code of Federal Regulations reflect the definition currently in effect under the Sixth Circuit stay. This action, when final, will not change current practice with respect to the how the definition applies, which is consistent with Supreme Court decisions, agency guidance documents, and longstanding practice.

The second step will be a public notice-and-comment rulemaking involving a substantive reevaluation and revision of the definition of "Waters of the U.S." in accordance with the executive order. The letter sent to governors today is seeking input on the second step of the process.

R079

If you would rather not receive future communications from Environmental Protection Agency, let us know by clicking <u>here.</u> Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460 United States

Seife v. EPA (1:19-cv-05190) 9.1.2020 ED\_003047\_00006434-00002



Legal News & Data
111 West 19th Street
5th Floor
New York, NY 10011
Office: 646-783-7197
Cell: Ex. 6 Personal Privacy (PP)



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Juan Carlos Rodriguez Senior Environment Reporter



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From: Valentine, Julia [Valentine.Julia@epa.gov]

**Sent**: 5/10/2017 5:06:12 PM

**To**: Ryan Beene [rbeene@bloomberg.net]

**Subject**: RE: Fwd:Daimler diesel?

Hi Ryan,

The agency does not comment on vehicles before they are introduced into commerce.

--For attribution to an EPA spokesperson

Thanks

Julia P. Valentine
Assoc. Dir./Acting Dir.
U.S. EPA, Ofc of Media Relations
202.564.2663 direct
Ex. 6 Personal Privacy (PP) m/txt

From: Ryan Beene (BLOOMBERG/ NEWSROOM:) [mailto:rbeene@bloomberg.net]

**Sent:** Wednesday, May 10, 2017 11:24 AM **To:** Valentine, Julia < Valentine.Julia@epa.gov>

Subject: Fwd:Daimler diesel?

Hi Julia,

Will you call me back, please?

From: Ryan Beene (BLOOMBERG/ NEWSROOM:) At: 05/10/17 09:31:04 Subject: Fwd:Daimler diesel?

Hi Julia,

Following up on this. Can you answer any of the questions below? Thanks

## Ryan

From: Ryan Beene (BLOOMBERG/ NEWSROOM:) At: 05/09/17 19:06:54 Subject: Fwd:Daimler diesel?

Hey Julia,

Daimler has apparently dropped its bid for 2017 diesel certifications. Trying to confirm with company now. Can EPA comment? Did their diesel systems have issues in the agency's eyes? How long had Mercedes been working to get approval?

Thanks

Ryan Beene Reporter - Autos Regulation Team Bloomberg News

## rbeene@bloomberg.net

Office: 202.807.2025
Mobile: Ex. 6 Personal Privacy (PP)

**To:** Schultz, David[dSchultz@bna.com]

From: Lynn, Tricia[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D8747BA49CDE485EA4AC58DBF09C3DCD-TRICIA SLUSSER]

**Sent:** Thur 5/4/2017 9:31:35 PM (UTC)

Subject: RE: RELEASE: EPA Program to Provide \$1B in Credit to Finance Over \$2B in Water Infrastructure Investment

Hi David—

For attribution to an EPA spokesperson, if attribution is needed:

"To maintain the integrity of the competition and selection application process, at this time we are not sharing the names or other information of the those who have submitted a letter of interest. We will do so after we have done further analysis."

Best,

Tricia

From: Schultz, David [mailto:dSchultz@bna.com]

**Sent:** Tuesday, May 02, 2017 3:55 PM **To:** Lynn, Tricia <lynn.tricia@epa.gov>

Subject: FW: RELEASE: EPA Program to Provide \$1B in Credit to Finance Over \$2B in Water Infrastructure Investment

Hi Tricia,

Just saw this press release. Would you be able to send us copies of the 43 letters of interest from prospective borrowers that you referenced below? We'd like to get a sense of who these potential borrowers are and what projects they're working on.

Thanks,

David

From: U.S. EPA Media Relations [mailto:noreply-subscriptions@epa.gov]

Sent: Tuesday, May 02, 2017 3:46 PM
To: Schultz, David <dSchultz@bna.com>

Subject: RELEASE: EPA Program to Provide \$1B in Credit to Finance Over \$2B in Water Infrastructure Investment

#### **CONTACT:**

Tricia Lynn (News media only) lynn.tricia@epa.gov (202) 564-2615 (202) 564-4355

FOR IMMEDIATE RELEASE

May 2, 2017

# EPA Program to Provide \$1B in Credit to Finance Over \$2B in Water Infrastructure Investment

Federal/local/private partnership will help expand water infrastructure systems to meet the needs of growing communities

WASHINGTON - The U.S. Environmental Protection Agency's (EPA) Water Infrastructure Finance and Innovation Act (WIFIA)

Seife v. EPA (1:19-cv-05190)

9.1.2020

ED\_003047\_00006440-00001

program received 43 letters of interest from prospective borrowers for projects to update our nation's water infrastructure. EPA's WIFIA program will provide \$1 billion in credit to finance over \$2 billion in water infrastructure investments. EPA received letters from entities seeking loans for the program from all over the country, demonstrating the high demand from businesses seeking to invest in the economy and local communities.

"As a federal-local-private partnership, this program will help expand water infrastructure systems to meet the needs of growing communities. This investment will empower states, municipalities, companies, and public-private partnerships to solve real environmental problems in our communities, like the need for clean and safe water," said EPA Administrator Pruitt.

WIFIA credit assistance can be used for a wide-range of projects, from drinking water treatment to seawater desalination and drought mitigation to water recycling. About a third of prospective borrowers indicated they plan to co-finance their projects with other funding tools available through EPA, the Drinking Water or the Clean Water State Revolving Funds. WIFIA works separately from, but in coordination with, the State Revolving Fund programs to provide subsidized financing for large dollar-value projects. By combining the benefits of the WIFIA and SRF programs, more communities can benefit from innovative loans and financing.

EPA issued a Notice of Funding Availability (NOFA) on January 10, 2017, to solicit letters of interest from prospective borrowers seeking WIFIA credit assistance. For its initial project selection round, EPA announced availability of up to \$17 million of budget authority appropriated for the WIFIA program to provide credit assistance. EPA estimates this budget authority will provide approximately \$1 billion in credit assistance and finance over \$2 billion in water infrastructure investment. The deadline for submission was April 10, 2017.

Established by the Water Infrastructure Finance and Innovation Act of 2014, the WIFIA program is a new federal loan and guarantee program at EPA that aims to accelerate investment in our nation's water by providing long-term, low-cost supplemental credit assistance for regionally and nationally significant projects. For more information about the WIFIA program, visit: <a href="https://www.epa.gov/wifia">https://www.epa.gov/wifia</a>

R070

If you would rather not receive future communications from Environmental Protection Agency, let us know by clicking <a href="here.">here.</a> Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460 United States

From: Freire, JP [Freire.JP@epa.gov]

**Sent**: 5/4/2017 4:07:29 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]; Konkus, John [konkus.john@epa.gov]

Subject: RE: Background q on a minor thing

## Ex. 5 Deliberative Process (DP)

Waiting to

hear back.

From: Bowman, Liz

Sent: Thursday, May 4, 2017 12:06 PM

To: Freire, JP <Freire.JP@epa.gov>; Konkus, John <konkus.john@epa.gov>

Subject: RE: Background q on a minor thing

Did someone get back to him?

From: Freire, JP

Sent: Wednesday, May 3, 2017 8:27 PM

To: Konkus, John < konkus.john@epa.gov >; Bowman, Liz < Bowman.Liz@epa.gov >

Subject: RE: Background q on a minor thing

Thanks for sharing, John.

From: Konkus, John

Sent: Wednesday, May 3, 2017 8:26 PM

To: Freire, JP <Freire.JP@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: Fwd: Background q on a minor thing

John Konkus

**Environmental Protection Agency** 

Deputy Associate Administrator for Public Affairs

Mobile: Ex. 6 Personal Privacy (PP)

Begin forwarded message:

From: Ben Geman < ben@axios.com > Date: May 3, 2017 at 8:22:55 PM EDT

To: konkus.john@epa.gov

Subject: Background q on a minor thing

Sen. Murkowski told me a couple days ago she was having a meeting with Admin. Pruitt this week to discuss Alaska priorities. Has that meeting happened yet? I'm just noting it briefly.

Thanks!!

--

Thanks,



## Ben Geman ENERGY REPORTER ben@axios.com | 202.271.4190

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

Sent: 5/1/2017 6:26:48 PM
To: andrew.siff@nbcuni.com

**Subject**: EPA Response: Garfield cleanup; federal budget

Dear Mr. Siff,

For attribution to "an EPA spokesperson," please:

"EPA is evaluating different approaches to implementing the President's budget that would allow us to effectively serve the taxpayers and protect the environment. While many in Washington insist on greater spending, EPA is focused on greater value and results. The EPA will partner with the states to ensure a thoughtful approach is used to maximize every dollar to protect our air, land, and water."

Warm regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 5/1/2017 11:41:31 AM

To: Sara Novak [Ex. 6 Personal Privacy (PP)]
Subject: RE: Media Request - Pesticide Drift

Good morning Sara,

For attribution to "an EPA spokesperson," please:

There are many variables associated with the application of pesticides; ground and aerial applications can both create drift. EPA does not have quantitative estimates listing ground vs aerial applications. However, you can consult the following link for EPA's most recent estimates of pesticide use: <a href="https://www.epa.gov/pesticides/pesticides-industry-sales-and-usage-2008-2012-market-estimates">https://www.epa.gov/pesticides/pesticides-industry-sales-and-usage-2008-2012-market-estimates</a>.

Spray drift can take place during any pesticide application. EPA recognizes that pesticide applications usually result in some pesticide deposition away from the field or site of application, and could pose risks to people, wildlife and sensitive environments. That's why the agency's Office of Pesticide Programs routinely considers off-target spray drift in its risk assessments of pesticide products.

Additional information on how EPA incorporates pesticide drift in human health and ecological risk assessments can be found at: <a href="https://www.epa.gov/reducing-pesticide-drift/pesticide-drift-human-health-and-ecological-risk-assessments">https://www.epa.gov/reducing-pesticide-drift/pesticide-drift-human-health-and-ecological-risk-assessments</a>.

EPA is actively engaged in several initiatives to help minimize spray drift. The agency may, for instance, require specific language on pesticide labels. EPA also provides a checklist for consumers to reduce spray drift which can be found at: <a href="https://www.epa.gov/reducing-pesticide-drift/introduction-pesticide-drift">https://www.epa.gov/reducing-pesticide-drift/introduction-pesticide-drift</a>.

Other initiatives include: promoting pesticide applicator education and training programs, improving the clarity and enforceability of product label directions and improving scientific models and methods for estimating pesticide exposure and drift. For more information, please consult: <a href="https://www.epa.gov/reducing-pesticide-drift/introduction-pesticide-drift/">https://www.epa.gov/reducing-pesticide-drift/introduction-pesticide-drift/</a>.

In addition, EPA provides training and education material for pesticide applicators on spray drift management in an effort to reduce drift. You can access these materials at: <a href="https://www.epa.gov/reducing-pesticide-drift/training-and-education-applicators-spray-drift-management">https://www.epa.gov/reducing-pesticide-drift/training-and-education-applicators-spray-drift-management</a>.

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Sara Novak [mailto: Ex. 6 Personal Privacy (PP)

Sent: Friday, April 28, 2017 2:39 PM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

Subject: Re: Media Request - Pesticide Drift

Hi Robert,
The focus is mitigating pesticide drift from aerial and ground application. My story is due Monday, but as soon as possible please because I need to add this sizable portion into the piece.
Thanks,
Sara
On Fri, Apr 28, 2017 at 2:28 PM, Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u> > wrote:
Sara, still working on this. Just for my own information, will your report focus on pesticide drift, or is the information you're requesting part of a bigger story?
Last but not least, what's your hard deadline, please?
Thanks, R.
From: Daguillard, Robert  Sent: Friday, April 28, 2017 9:27 AM  To: 'Sara Novak' < Ex. 6 Personal Privacy (PP)  Subject: RE: Media Request - Pesticide Drift
Good morning Sara,
We're still working on your questions.
Thanks, R.
From: Sara Novak [mailto: Ex. 6 Personal Privacy (PP)   Sent: Thursday, April 27, 2017 1:53 PM To: Daguillard, Robert < Daguillard.Robert@epa.gov > Subject: Re: Media Request - Pesticide Drift
Hi Robert,

Just following up on this request. Did you have a chance to answer the questions?
Thanks in advance.
Best,
Sara
On Wed, Apr 26, 2017 at 8:32 AM, Sara Novak < Ex. 6 Personal Privacy (PP) wrote:  Thanks Robert.
Best,
Sara
On Tue, Apr 25, 2017 at 2:30 PM, Daguillard, Robert < <u>Daguillard Robert@epa.gov</u> > wrote:
Good afternoon Sara,
A word to let you know we have your inquiry.
Regards, R.
Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency

Washington, DC
<u>+1 (202) 564-6618</u> (O)
Ex. 6 Personal Privacy (PP) (M)
From: Sara Novak [mailto: Ex. 6 Personal Privacy (PP)]  Sent: Tuesday, April 25, 2017 2:09 PM  To: Milbourn, Cathy < Milbourn. Cathy@epa.gov > Subject: Media Request - Pesticide Drift
Hi Cathy,
I'm a reporter with Modern Farmer Magazine. I'm working on a story on pesticide drift and I have a few questions for an expert.
1) What are the differences between ground and aerial spraying in terms of the amount of drift caused and the damage done to crops, wildlife, etc? Which form of application is used more often?
2) As a whole, how common is pesticide drift? Specifically, I'm looking for data on how commonplace pesticide drift is and severe and intractable the problem is.
3) What are the newest advances in drift mitigation in the pipeline? Especially those that involve technology (for example drones).
My deadline is Thursday.
Thanks in advance.
Thanks in advance.
Best,

Sara

---

Sara Novak

(434) 989-3442

Follow me on Twitter and Facebook http://www.saranovakwrites.com/

Sara Novak

(434) 989-3442

Follow me on <u>Twitter</u> and <u>Facebook</u> <u>http://www.saranovakwrites.com/</u>

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<a href="http://www.saranovakwrites.com/">http://www.saranovakwrites.com/</a>

Lynn, Tricia [lynn.tricia@epa.gov] From:

5/9/2017 8:31:26 PM Sent:

To: Eric Wolff [ewolff@politico.com]

Subject: RE: Ccs, injection wells

#### Hi Eric--

For attribution to an EPA spokesperson:

"Currently no state has primacy for the Class VI program, and no other states has submitted an application for this type of well. North Dakota would be the first state to obtain primacy for the Class VI program."

Best,

#### Tricia

----Original Message----

From: Eric Wolff [mailto:ewolff@politico.com] Sent: Tuesday, May 09, 2017 10:19 AM

To: Press <Press@epa.gov>

Subject: Ccs, injection wells

Hi -. Sen. Hoeven just put out a release that EPA gave north Dakota primacy on class IV injection wells. Is EPA doing this with other states?

- Eric

Eric Wolff

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 4/19/2017 8:33:17 PM

**To**: Parrish, Rick [rparrish@forrester.com]

Subject: RE: Question about agile contracting efforts at EPA [WARNING: DKIM validation failed] [WARNING: DKIM validation

failed]

Rick for attribution to "an EPA spokesperson," please:

EPA discontinued last year's effort to develop an agile contracting vehicle when it decided to use GSA's contract services. The agency will issue a new RFI (Request for Information) this year through GSA Federal Acquisition Service (FAS), Region 9 Assisted Acquisition Service (AAS).

Thanks, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Parrish, Rick [mailto:rparrish@forrester.com]

Sent: Monday, March 20, 2017 4:49 PM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

**Cc:** Kadeli, Annie < Kadeli. Annie@epa.gov>; Martin, JohnT < martin.johnt@epa.gov>

Subject: Re: Question about agile contracting efforts at EPA [WARNING: DKIM validation failed] [WARNING: DKIM

validation failed]

Hi, Robert.

Just checking in to see if you've been able to get the information I was looking for.

Thanks, Rick

On Tue, Mar 7, 2017 at 10:10 AM, Parrish, Rick < rparrish@forrester.com > wrote:

Sure, will do. Thanks!

Rick

On Tue, Mar 7, 2017 at 9:47 AM, Daguillard, Robert <a href="mailto:Nobert@epa.gov">Daguillard.Robert@epa.gov</a> wrote:

Well, the media world is a big tent, as I'm sure you know! But we'll get you good info.

Thanks again. Do you want to circle back in a couple of weeks to see where things stand?

From: Parrish, Rick [mailto:rparrish@forrester.com]

Sent: Tuesday, March 07, 2017 9:46 AM

To: Daguillard, Robert < Daguillard.Robert@epa.gov>

Cc: Kadeli, Annie < Kadeli. Annie@epa.gov >; Martin, JohnT < martin.johnt@epa.gov >

Subject: RE: Question about agile contracting efforts at EPA [WARNING: DKIM validation failed] [WARNING: DKIM

validation failed]

I'm just getting started with the research, and I expect it will take at least a month. I need to talk to all the vendors on the BPAs, too. So the report itself won't be published until late April.

A rather slower pace than the media you're used to working with, no doubt!

Rick

On Mar 7, 2017 9:43 AM, "Daguillard, Robert" < Daguillard. Robert@epa.gov> wrote:

Got it. What's your deadline?

**From:** Parrish, Rick [mailto:rparrish@forrester.com]

Sent: Tuesday, March 07, 2017 9:42 AM

To: Daguillard, Robert < Daguillard.Robert@epa.gov>

Cc: Martin, JohnT < martin.johnt@epa.gov >; Kadeli, Annie < Kadeli.Annie@epa.gov >

Subject: Re: Question about agile contracting efforts at EPA [WARNING: DKIM validation failed] [WARNING: DKIM

validation failed]

I write two versions of my reports: A full version for clients and a less-detailed version for general readership. My default would be to include the information that EPA provides in both versions, but I can change that if you'd prefer.

Rick

On Tue, Mar 7, 2017 at 9:38 AM, Daguillard, Robert <a href="mailto:Robert@epa.gov">Daguillard.Robert@epa.gov</a> wrote:

Thanks, Rick: A report for sharing with clients, I take it?

From: Parrish, Rick [mailto:rparrish@forrester.com]

Sent: Tuesday, March 07, 2017 9:36 AM

To: Daguillard, Robert < Daguillard.Robert@epa.gov>

Cc: Martin, JohnT < martin.johnt@epa.gov >; Kadeli, Annie < Kadeli.Annie@epa.gov >

Subject: Re: Question about agile contracting efforts at EPA [WARNING: DKIM validation failed]

Hi Robert. Thanks for getting back to me.

My research will result in a research report. The report will focus on the uses to which existing federal agile BPAs, which right now include the GSA's Agile BPA and DHS' FLASH, are being put. But some readers may have heard of EPA's efforts toward an agile BPA, so I plan to have at least a footnote, if not a couple sentences in the main text, on the status of EPA's agile contracting vehicle(s).

Thanks again for your help.

Rick

On Tue, Mar 7, 2017 at 9:25 AM, Daguillard, Robert < <u>Daguillard Robert@epa.gov</u>> wrote:

Good morning Rick and thank you for reaching out,

I take it you're not looking to publish an article, blog or newsletter on agile development, correct? I ask because I normally work with news media,

If so, I'll put you in touch with John Martin (cc'ed here), the communications director for EPA's Office of Environmental Information, which oversees the agency's IT infrastructure.

Thanks, R.

From: Parrish, Rick [mailto:rparrish@forrester.com]

Sent: Tuesday, March 07, 2017 9:20 AM

**To:** Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u>> **Subject:** Question about agile contracting efforts at EPA

Good morning, Robert.

I'm an industry analyst conducting research about agile contracting efforts in governments, and I wanted to ask a question about the new <u>Agile Application Development Services RFI</u> that EPA recently issued via GSA.

My question is: Is this new effort to develop an EPA agile contracting vehicle a continuation of last year's effort, or is it something new?

Last June EPA held an industry day about an agile BPA, at which time EPA said that it hoped to announce awards by November 2016. As far as I can tell that never happened and nothing came of last year's effort to create an agile contracting vehicle.

It seems that EPA is starting over this year with a new RFI. Am I right about that? If so, what ever happened with last year's effort?

Thank you, Rick

\_\_

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#### **Rick Parrish**

Principal Analyst, Serving Customer Experience Professionals direct +1 703-584-2639 | rparrish@forrester.com
My blog | @RickParrishGCX | LinkedIn profile

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From: Freire, JP [Freire.JP@epa.gov]
Sent: 4/19/2017 6:25:16 PM

To: Graham, Amy [graham.amy@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Re: Chicago Sun-Times request



#### J.P. Freire

Environmental Protection Agency Associate Administrator for Public Affairs

Mobile: (202) 309-6781

On Apr 19, 2017, at 1:24 PM, Graham, Amy <graham.amy@epa.gov> wrote:



From: Stefano Esposito [mailto:sesposito@suntimes.com]

**Sent:** Wednesday, April 19, 2017 2:00 PM **To:** Graham, Amy <graham.amy@epa.gov> **Subject:** Re: Chicago Sun-Times request

Can we get a copy of the memo the Region 5 administrator sent out in which he denies the office is set to be closed?

Sent from my iPhone

On Apr 19, 2017, at 9:19 AM, Graham, Amy <graham.amy@epa.gov> wrote:

That portion of the event will not be open press, correct.

On Apr 19, 2017, at 8:56 AM, Esposito, Stefano <<u>sesposito@suntimes.com</u>> wrote:

Just so I'm clear — the media won't be allowed to tag along with Mr. Pruitt and the governor as they tour the site and talk to residents?

On Wed, Apr 19, 2017 at 8:37 AM, Graham, Amy <<u>graham.amy@epa.gov</u>> wrote:

Hi Stefano - Your email about today's event was passed along to me. There won't be a media event with the Administrator but we will send a press release with photos and video afterward.

Governor Holcomb's office is working on the itinerary for the visit so I recommend reaching out to his office for more details. Stephanie Wilson is the contact- Stepwilson@gov.in.gov

Additional background --

EPA Administrator Scott Pruitt will visit the USS Lead Superfund site in East Chicago, Indiana to observe soil cleanup and hear directly from East Chicago

residents affected by contamination in their community. He is the first EPA Administrator to visit the USS Lead Superfund site in East Chicago, which was listed on the National Priorities List of the worst contaminated sites in the country in 2009. Administrator Pruitt is focused on getting EPA back to the basics of protecting human health and the environment, and the Superfund program is a critical component of this.

Thanks, Amy

Begin forwarded message:

From: "Esposito, Stefano" < sesposito@suntimes.com >

**Date:** April 19, 2017 at 8:18:36 AM CDT

To: "rowan.anne@epa.gov" <Rowan.Anne@epa.gov>

**Subject: Chicago Sun-Times request** 

Anne, I'm being sent to cover Mr. Pruitt's visit to East Chicago.

Are there any media guidelines for the visit?

Thanks,

Stefano Esposito
Staff Reporter
Chicago Sun-Times
Desk: 312-321-2124
Cell: Ex. 6 Personal Privacy (PP)

Stefano Esposito
Staff Reporter
Chicago Sun-Times
Desk: 312-321-2124
Cell: Ex. 6 Personal Privacy (PP)

From: Graham, Amy [graham.amy@epa.gov]

**Sent**: 4/18/2017 8:15:40 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]; Freire, JP [Freire.JP@epa.gov]

**Subject**: Follow up questions

For people following up asking for details of the visit, I plan to say the following:

## Ex. 5 Deliberative Process (DP)

From: Jones, Enesta [Jones.Enesta@epa.gov]

**Sent**: 4/18/2017 7:47:40 PM

To: Cohn, Scott (NBCUniversal) [Scott.Cohn@nbcuni.com]

**Subject**: RE: Drinking Water Infrastructure Needs

Hi Scott,

For attribution to an EPA spokesperson:

The next report is expected this year.

----Original Message----

From: Cohn, Scott (NBCUniversal) [mailto:Scott.Cohn@nbcuni.com]

Sent: Thursday, April 13, 2017 6:21 PM To: Jones, Enesta <Jones.Enesta@epa.gov> Subject: Drinking Water Infrastructure Needs

Enesta.

Trying to find out when the next "Drinking Water Needs Survey and Assessment" report to Congress is expected to be released. I understand these reports are supposed to come out every five years, and it looks like the last study was done in 2011. And guidance appreciated. Many thanks.

Scott Cohn CNBC +1.914.837.1099

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 4/18/2017 3:31:56 PM

**To**: Brian Bowling [bbowling@tribweb.com]

**Subject**: RE: subset of RSEI microdata

Attachments: RSEI Data for Westmoreland County TRI RESPONSE 3.3017.docx; Facility\_shapefiles.abc; Facility-level results for

Westmoreland County.xlsx; AggMicro2015\_Westmoreland\_PA.ABC

Brian, for attribution to "an EPA spokesperson," please.

We're providing the data you requested in three files:

- AggMicro2015\_Westmoreland\_PA—ESRI shapefiles containing RSEI Microdata for Westmoreland County
- Facilities—ESRI shapefiles containing facilities reporting to TRI in 2015, with associated RSEI metrics like score.
- Facility-level results for Westmoreland County—Microsoft Excel spreadsheet containing aggregated results for the facilities in Westmoreland County in 2015 (from EasyRSEI). Note this table includes all releases, including releases to water. The "Releases" sheet contains each release or transfer from a facility in Westmoreland County. The "Facility" sheet contains the same data aggregated to the facility level.

Also attached is a Word document with background on RSEI, the results, descriptions of the data fields, and responses to questions we anticipate you'll have when reviewing the data.

Regards, R.

From: Daguillard, Robert

Sent: Tuesday, April 18, 2017 8:51 AM

To: 'Brian Bowling' <bbowling@tribweb.com>

Subject: RE: subset of RSEI microdata

Hullo Brian,

I left you a voicemail yesterday. I don't know if you're still working on your story. Let me know if you have a minute to chat whenever possible.

Thanks, R.

From: Brian Bowling [mailto:bbowling@tribweb.com]

Sent: Monday, April 10, 2017 12:37 PM

To: Daguillard, Robert < Daguillard.Robert@epa.gov >

Subject: RE: subset of RSEI microdata

Any update?

Regards,
Brian Bowling
Reporter
Tribune-Review
(p) 724-850-1218
(c) Ex. 6 Personal Privacy (PP) triblive.com

"In three words I can sum up everything I've learned about life: it goes on." - Robert Frost

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]

**Sent:** Monday, April 03, 2017 9:21 AM

To: Brian Bowling

Subject: RE: subset of RSEI microdata

Hoping to get back to you today. Will advise if we need more time.

From: Brian Bowling [mailto:bbowling@tribweb.com]

Sent: Friday, March 31, 2017 4:20 PM

To: Daguillard, Robert < Daguillard.Robert@epa.gov>

Subject: RE: subset of RSEI microdata

Are you guys going to be able to provide the data?

Regards,
Brian Bowling
Reporter
Tribune-Review
(p) 724-850-1218
(c) Ex. 6 Personal Privacy (PP) triblive.com

"In three words I can sum up everything I've learned about life: it goes on." - Robert Frost

**From:** Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]

**Sent:** Monday, March 27, 2017 4:15 PM **To:** Milbourn, Cathy; Brian Bowling

Cc: Seneca, Roy; Press

Subject: RE: subset of RSEI microdata

Good afternoon Brian,

Are you on deadline? Also, are you interested in one, or several, specific facilities?

Thanks, R.

From: Milbourn, Cathy

**Sent:** Monday, March 27, 2017 4:01 PM **To:** Brian Bowling <a href="mailto:bowling@tribweb.com">bowling@tribweb.com</a>

**Cc:** Seneca, Roy <<u>Seneca.Roy@epa.gov</u>>; Press <<u>Press@epa.gov</u>>

Subject: RE: subset of RSEI microdata

Hi Brian,

Someone will get back to you.

Cathy

From: Brian Bowling [mailto:bbowling@tribweb.com]

Sent: Monday, March 27, 2017 3:59 PM

To: Milbourn, Cathy < Milbourn. Cathy@epa.gov>

**Cc:** Seneca, Roy < Seneca.Roy@epa.gov > **Subject:** subset of RSEI microdata

I'm trying to get a subset of the RSEI microdata either for Westmoreland County, Pa., or for the state of Pennsylvania. Can you help me with that?

Regards,
Brian Bowling
Reporter
Tribune-Review
(p) 724-850-1218
(c) Ex. 6 Personal Privacy (PP) triblive.com

"In three words I can sum up everything I've learned about life: it goes on." - Robert Frost

From: Konkus, John [konkus.john@epa.gov]

**Sent**: 4/13/2017 10:23:43 PM

To: Graham, Amy [graham.amy@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]; Lyons, Troy [lyons.troy@epa.gov];

Hupp, Millan [hupp.millan@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Freire, JP [Freire.JP@epa.gov]; Jackson, Ryan [jackson.ryan@epa.gov]

Subject: Missouri Comms Doc

Attachments: Missouri Plan Outline DRAFT.docx

Updated (lots of updates) attached.

John Konkus

Environmental Protection Agency

Deputy Associate Administrator for Public Affairs

Mobile: Ex. 6 Personal Privacy (PP)

From: Konkus, John [konkus.john@epa.gov]

**Sent**: 4/13/2017 4:19:20 PM

To: Freire, JP [Freire.JP@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Wilcox,

Jahan [wilcox.jahan@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]

Subject: DRAFT Missouri Comms Plan

Attachments: Missouri Plan Outline DRAFT.docx; Invitation THEC tour with EPA.pdf

Comms Team: Attached is the first draft of a comms plan for next Thursday's event in Missouri. I've worked closely with our hosts and stakeholders on this. Please take a look. We can use any lessons learned from today's event to fill the out then tighten it up.

Thank you,

John Konkus
Environmental Protection Agency
Deputy Associate Administrator for Public Affairs
Mobile: [Ex. 6 Personal Privacy (PP)]

From: Konkus, John [konkus.john@epa.gov]

**Sent**: 4/12/2017 10:25:06 PM

To: Lyons, Troy [lyons.troy@epa.gov]; Freire, JP [Freire.JP@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Bowman,

Liz [Bowman.Liz@epa.gov]

CC: Bennett, Tate [Bennett.Tate@epa.gov]; Hupp, Millan [hupp.millan@epa.gov]; Jackson, Ryan [jackson.ryan@epa.gov]

Subject:RE: East Chicago BriefAttachments:Missouri Plan Outline DRAFT.docx

Troy: Attached is my draft communications document for Missouri. It's a work in progress but you may want to add it to your materials.

From: Lyons, Troy

Sent: Wednesday, April 12, 2017 7:27 AM

**To:** Freire, JP <Freire.JP@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>;

Konkus, John <konkus.john@epa.gov>

Cc: Bennett, Tate <Bennett.Tate@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>; Jackson, Ryan

<jackson.ryan@epa.gov>
Subject: East Chicago Brief

Importance: High

I put together this **ROUGH** draft of a briefing note that I am going to turn into a small binder. Please take a look to see if I am missing anything.

Also, I can compile the OPA piece into this briefing material. My goal is to give him this binder and the briefing material for Missouri when I see him tomorrow in Pittsburgh.

Troy M. Lyons

Associate Administrator

Congressional & Intergovernmental Relations

U.S Environmental Protection Agency

Ex. 6 Personal Privacy (PP)

From: Graham, Amy [graham.amy@epa.gov]

**Sent**: 4/12/2017 8:03:23 PM

To: Bowman, Liz [Bowman.Liz@epa.gov]

Subject: Fwd: Media Advisory for Thursday Event

#### Begin forwarded message:

From: "Smith, Zachery" < ZacherySmith@cnxlp.com>

Date: April 12, 2017 at 8:51:28 AM EDT

To: "Graham, Amy" < <a href="mailto:graham.amy@epa.gov">graham.amy@epa.gov</a>

Subject: Re: Media Advisory for Thursday Event

"We welcome Administrator Pruitt to Southwestern Pennsylvania and are very encouraged by the new administration's commonsense approach in balancing the need for environmental protection, energy development and economic growth."

-Jimmy Brock, CEO of CNX Coal Resources

Sent from my iPhone

On Apr 11, 2017, at 7:23 PM, Graham, Amy <graham.amy@epa.gov> wrote:

On a separate note, we'd be happy to include a quote from Jimmy Brock, or the appropriate person at the mine, in the press release we are planning issue the day of the event. The messaging will be along the same lines as the media advisory below.

From: Smith, Zachery [mailto:ZacherySmith@cnxlp.com]

**Sent:** Tuesday, April 11, 2017 6:26 PM

**To:** Graham, Amy <graham.amy@epa.gov>; 'jmullins@nma.org' <jmullins@nma.org> **Cc:** Bennett, Tate <<u>Bennett. Tate@epa.gov</u>>; Hupp, Millan <<u>hupp.millan@epa.gov</u>>

Subject: RE: Media Advisory for Thursday Event

Hey just heard from the Congressman that he cannot attend, due to other commitments? Any word on your end?

From: Smith, Zachery

**Sent:** Tuesday, April 11, 2017 5:34 PM **To:** 'Graham, Amy'; <u>imullins@nma.org</u> **Cc:** Bennett, Tate; Hupp, Millan

Subject: RE: Media Advisory for Thursday Event

Thanks Amy. Looks good.

One thing in your notes... Jimmy Brock is the CEO of <u>CNX Coal Resources</u> (the operator of the coal segment)... essentially a subsidiary of CONSOL. For media purposes we'd ask that it is listed as CNX Coal Resources, as opposed to CONSOL to keep from confusing with natural gas business unit.

Here's directions from Rt 18 heading south from Washington, PA just so you have them. I know I sent to Millan for advance, but for your press shop to have for media inquiries, just in case.

#### **ALTERNATE DIRECTIONS:**

From 18 take a right onto Webster Road follow this road for approximately 4-5 miles. You will get to a T in the road which will have a sign going towards Nineveh or Graysville. Take the left towards Nineveh. You will see the detour signs on this road and will be on this for approximately 1000 feet. Veer right onto McCollum Rd. continue on this road for approximately 2 miles. At this point you will come to a stop sign continue to go straight. The Harvey Mine Portal entrance will be on the left.

From: Graham, Amy [mailto:graham.amy@epa.gov]

**Sent:** Tuesday, April 11, 2017 4:56 PM **To:** Smith, Zachery; <u>jmullins@nma.org</u> **Cc:** Bennett, Tate; Hupp, Millan

Subject: Media Advisory for Thursday Event

Zach and Jerry – Per our discussion this morning, below is the media advisory we are sending to targeted media. We are having folks RSVP to receive more information on time and location. Please keep a close hold on this until further notice.

Also, a couple of other updates - the Administrator is now arriving at noon on Thursday so we are pushing things up and changing them around just a bit. Press will now be invited to get a photo spray at the beginning of the lunch in addition to the press portion of the event, so we will want to be sure there are miners in uniform participating in the lunch. Here is the updated line by line for Thursday's movements:

- 12:00 PM EST Administrator Pruitt arrives
- 12:00 12:30 AM EST Discussion with coal miners and media availability, open press.
  - Greeting with 75 100 coal miners
  - Introduction by CONSOL CEO Jimmy Brock
  - Administrator Pruitt speaks
  - Congressman Tim Murphy speaks
  - o Presentation of hard hat
  - Jimmy Brock concludes remarks
- 12:30 1:30 PM EST Private roundtable lunch with stakeholders, press spray at beginning of the lunch.
- 1:30 2:00 PM EST Safety training and gear up, closed press.
- 2:00 3:45 PM EST Underground mine tour, closed press.
- 3:45 PM EST Depart

Don't hesitate to give me a shout if you have questions about any of these details.

Thanks,

#### **Amy Graham**

Deputy Associate Administrator for Public Engagement U.S. Environmental Protection Agency

Graham.amy@epa.gov

202-564-4464 (office)

Ex. 6 Personal Privacy (PP) (Cell)

## EPA ADMINISTRATOR TO VISIT PENNSYLVANIA COAL MINE, LAUNCH BACK-TO-BASICS AGENDA

**SYCAMORE, Pa.** – U.S. Environmental Protection Agency Administrator Scott Pruitt will speak with coal miners at the Harvey Mine in Sycamore, Pennsylvania on Thursday, April 13, to kick off EPA's *Back-to-Basics* agenda. The *Back-to-Basics* agenda refocuses the EPA on protecting the environment, promoting economic and job growth, and returning power to the states.

Administrator Pruitt will speak with coal miners about the President's recent <u>Energy</u> <u>Independence Executive Order</u>, which directs EPA and other federal agencies to review the Clean Power Plan and revise regulatory barriers that impede energy independence, including unnecessary burdens on coal miners and coal-fired electric utilities.

"What better way to kick off the EPA's *Back-to-Basics* agenda than joining hard-working coal miners who help power America. The coal industry was nearly devastated by years of regulatory overreach, but with new direction from President Trump, we are turning things around for these miners and for many other hard working Americans," **said Administrator Pruitt.** "I look forward to launching my *Back-to-Basics* agenda in Pennsylvania as we work to return EPA to its originally intended mission of protecting the environment without hindering job growth."

Members of the media who plan to attend this event must RSVP by emailing pressrsvp@epa.gov no later than 5:00 p.m. on Wednesday, April 12.

WHO: Administrator Pruitt and coal miners at the Harvey Mine – Patterson Creek Portal

WHAT: EPA kicks off Back-to-Basics agenda

WHEN: Thursday, April 13, 2017

WHERE: Harvey Mine, Sycamore, PA 15364

NOTE: For more details on timing and location, credentialed members of the media must RSVP.

###

**To:** kopsahl@hjnews.com[kopsahl@hjnews.com]

From: Daguillard, Robert JOEXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BBE9682B940C4F2C90732E4D37355DD4-DAGUILLARD,]

**Sent:** Tue 5/9/2017 4:20:38 PM (UTC)

Subject: FW: Inquiry from Herald Journal on BOSC

Kevin, for attribution to J.P. Freire, EPA spokesman, please:

"Advisory panels like BOSC play a critical role reviewing the agency's work. EPA received hundreds of nominations to serve on the board, and we want to ensure fair consideration of all the nominees – including those nominated who may have previously served on the panel – and carry out a competitive nomination process."

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

From: Kevin Opsahl [mailto:kopsahl@hjnews.com]

Sent: Monday, May 08, 2017 2:57 PM

To: Tracy, Tom < Tracy.Tom@epa.gov>
Cc: Tracy, Tom < Tracy.Tom@epa.gov>
Subject: News media on deadline 5/8/17

Hello,

I read in numerous news reports that The EPA has fired some members of the Board of Scientific Counselors. I would like to get confirmation of this decision - whether it was through a press release online, etc. A USU faculty member was on the board and let go last week.

Thank you

#### Kevin M. Opsahl

Staff Writer
The Herald Journal
75 W. 300 North
Logan, Utah 84321
kopsahl@hjnews.com
435-792-7231
425-736-7180
@KevJourno

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 5/9/2017 4:19:38 PM

To: deborah.netburn@latimes.com

**Subject**: FW: LA Times story on changes at BOSC

Deborah, for attribution to J.P. Freire, EPA spokesman, please:

"Advisory panels like BOSC play a critical role reviewing the agency's work. EPA received hundreds of nominations to serve on the board, and we want to ensure fair consideration of all the nominees – including those nominated who may have previously served on the panel – and carry out a competitive nomination process."

Robert Daguillard
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[Ex. 6 Personal Privacy (PP)] (M)

From: Netburn, Deborah [mailto:Deborah.Netburn@latimes.com]

**Sent:** Monday, May 08, 2017 3:31 PM **To:** Tracy, Tom < <u>Tracy.Tom@epa.gov</u>> **Subject:** LA Times story on changes at BOSC

Hi,

I'm a reporter for the Los Angeles Times. I'm seeing lots of reports today about the EPA dismissing six members of its Board of Scientific Counselors. The reports also suggest that the board positions could go to people from industry rather than the academic community.

Can you confirm that information?

I also want to confirm that six scientists received notices that they were no longer going to be members of the board on Friday, and that the board consists of 18 members. Also, is this dismissal effective immediately?

Thanks,

Deborah Netburn

### **Deborah Netburn**

Science Reporter Los Angeles Times

- e <u>Deborah.Netburn@latimes.com</u>
  o 213-473-2522
  @deborahnetburn

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 5/9/2017 4:17:17 PM

To: nick.visser@huffingtonpost.com

**Subject**: Subject: comment for HuffPost // BOSC firings

Nick, for attribution to J.P. Freire, "EPA spokesman," please:

"Advisory panels like BOSC play a critical role reviewing the agency's work. EPA received hundreds of nominations to serve on the board, and we want to ensure fair consideration of all the nominees – including those nominated who may have previously served on the panel – and carry out a competitive nomination process."

From: Nick Visser [mailto:nick.visser@huffingtonpost.com]

Sent: Monday, May 08, 2017 1:49 AM
To: Tracy, Tom <Tracy.Tom@epa.gov>

Subject: comment for HuffPost // BOSC firings

Hi Tom,

I wanted to see if EPA had any comment regarding recent reports that several members of the Board of Scientific Counselors had been fired. If so, please let me know -- thanks for the time.

--

Nick Visser Reporter, HuffPost

US: +1 630.445.1117 | Aus: +61 451.311.343 50 Bridge St., Level 1, Sydney NSW 2000

Robert Daguillard
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Washington, DC
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Ex. 6 Personal Privacy (PP)

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 3/30/2017 4:50:48 PM

**To**: Selby, Gardner (CMG-Austin) [wgselby@statesman.com]

Subject: RE: Robert from EPA

Gardner, with apologies for the late reply – and for attribution to Julia Valentine, or to "an EPA spokesperson," please:

#### 1) Is this claim about studies accurate? Why or why not?

There certainly are studies published in the scientific literature regarding warfarin for the control of feral hogs. We are not aware of studies in the scientific literature on Kaput feral hog bait specifically. The registrant would be in a better position to address this question.

#### 2) What other considerations by EPA bear on this topic?

We still do not understand what the reporter is asking. EPA evaluated the application for this registration and supporting data and found that the use as proposed meets the FIFRA safety standard.

#### 3) Are there any barriers to anyone using Kaput now that EPA has given approval? If so, what?

Once a company is granted an EPA registration, the company MUST also receive registration from the State in which the company wishes to sell and distribute the product. States can impose additional use restrictions of a pesticide product beyond that of the federal restrictions; however, the State cannot allow less restrictions than those imposed by the federal registration. Whether additional state restrictions are placed on a registration would be dictated by state law and regulations.

Thanks, R.

Robert Daguillard
Office of Media Relations
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+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

From: Selby, Gardner (CMG-Austin) [mailto:wgselby@statesman.com]

**Sent:** Thursday, March 16, 2017 4:15 PM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

Subject: RE: Robert from EPA

I would be interested to to what degree warfarin to kill hogs has been covered by published studies.

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]

Sent: Thursday, March 16, 2017 10:25 AM

To: Selby, Gardner (CMG-Austin) <wgselby@statesman.com>

Subject: RE: Robert from EPA

#### K. Still working on it.

From: Selby, Gardner (CMG-Austin) [mailto:wgselby@statesman.com]

Sent: Thursday, March 16, 2017 11:23 AM

To: Daguillard, Robert < Daguillard, Robert@epa.gov>

Subject: RE: Robert from EPA

Yes, that is what the person is saying – not us.

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]

Sent: Thursday, March 16, 2017 10:21 AM

To: Selby, Gardner (CMG-Austin) <wgselby@statesman.com>

Subject: RE: Robert from EPA

Gardner, about your inquiry:

"I seek on-the-record comment because we are fact-checking <u>a claim that there are no public studies, that is, studies that are public</u>, of Kaput, the product given conditional registration by the EPA this January."

Can you clarify what you mean? Are you, or those making the claim, saying there are no published studies or Kaput, in scientific, peer-reviewed journals? Do they mean something else altogether?

From: Selby, Gardner (CMG-Austin) [mailto:wgselby@statesman.com]

Sent: Wednesday, March 15, 2017 3:04 PM

To: Daguillard, Robert < Daguillard.Robert@epa.gov>

Subject: RE: Robert from EPA

Hello again.

I seek <u>on-the-record comment</u> because we are fact-checking a claim <u>that there are no public studies, that is, studies that are public, of Kaput</u>, the product given conditional registration by the EPA this January.

Is this claim about studies accurate? Why or why not?

What other considerations by EPA bear on this topic?

Are there any barriers to anyone using Kaput now that EPA has given approval? If so, what?

Thanks for your help. As mentioned, I am trying to complete this fact check today.

g.

#### Want our fact checks first? Follow us on Twitter.

## W. Gardner Selby

Reporter / News Austin American-Statesman PolitiFact Texas o 512.445.3644

e wgselby@statesman.com

Twitter: gardnerselby and http://www.twitter.com/politifacttexas

Facebook: PolitiFactTexas

* To bind you could a faculty. You for you forwing yours, and which is deposited by a position of your faculty and the same of

statesman.com austin360.com ahorasi.com

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]

Sent: Wednesday, March 15, 2017 1:37 PM

To: Selby, Gardner (CMG-Austin) < wgselby@statesman.com>

Subject: Robert from EPA

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 11/9/2017 10:57:03 PM

To: Julia Boccagno [jboccagno@sbgtv.com]

CC: Press [Press@epa.gov]
Subject: Re: Follow up: mosquitos

Julia, for attribution to "an EPA spokesperson," please:

#### 1.) Why now? Why has the ZAP strain method just been approved?

MosquitoMate, the ZAP Males<sup>®</sup> registrant, first requested an experimental use permit (EUP) to test the *Wolbachia* technology in 2013. Since that time MosquitoMate has continued testing *Wolbachia* under a number of EPA-issued EUPs in select locations across the U.S. More information about these field trials can be found on <a href="https://www.regulations.gov">www.regulations.gov</a> under docket number EPA-HQ-OPP-2013-0254.

In early 2016, EPA received a registration application for the ZAP Males<sup>®</sup> as a microbial biopesticide. The data gathered during the preceding EUPs were used to inform the registration decision.

# 2.) Why were certain states selected for trials? Is this where mosquito-related issues are rampant?

The registrant, in this case, MosquitoMate, decides where they would like to conduct their testing and includes those areas in their applications for EUPs. More information about these field trials can be found on <a href="https://www.regulations.gov">www.regulations.gov</a> under docket number EPA-HQ-OPP-2013-0254.

### 3.) Who will monitor the release? And what does that process look like?

According to the label, ZAP Males® are for use only by MosquitoMate, Inc., those under direct contract with the company, government officials responsible for public health or vector control, or those certified to perform the applications. <u>State lead pesticide agencies</u> monitor for compliance with label requirements.

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.

Ex. 6 Personal Privacy (PP) M)
202-564-6618 (O)

On Nov 8, 2017, at 12:02 PM, Julia Boccagno < iboccagno@sbgtv.com > wrote:

Hi Robert,

I'm not on a firm deadline, but sooner rather than later is always preferred.

Yes, I've already reached out to Mosquito Mate, and they're interested in talking to me for the piece as well. Since the EPA is the institution that approved it, I believe it's equally vital to include the government's perspective as well.

Does this help?

From: "Daguillard, Robert" < Daguillard.Robert@epa.gov>

Date: Wednesday, November 8, 2017 at 11:55 AM

To: Julia Boccagno < <a href="mailto:jboccagno@sbgtv.com">jboccagno@sbgtv.com</a>>

Subject: RE: Follow up: mosquitos

Thanks, Julia. Are you on a firm deadline? When are you hoping to produce your piece (video/audio)?

Also, how will information from EPA fit into your larger story? Other voices you're hoping to include?

Thanks, R.

From: Julia Boccagno [mailto:jboccagno@sbgtv.com]
Sent: Wednesday, November 08, 2017 11:50 AM
To: Daguillard, Robert < Daguillard, Robert@epa.gov>

Subject: Re: Follow up: mosquitos

Hi Robert,

Thanks for this. Still wondering if it's possible to arrange a quick on-camera interview, since we're primarily a video-centric news organization. I'd love to talk with someone from this department about the following:

- 1.) Why now? Why has the ZAP strain method just been approved?
- 2.) Why were certain states selected for trials? Is this where mosquito-related issues are rampant?
- 3.) Who will monitor the release? And what does that process look like?

Please let me know if you're able to assist,

Julia

From: "Daguillard, Robert" < Daguillard. Robert@epa.gov>

Date: Wednesday, November 8, 2017 at 11:24 AM

To: Julia Boccagno < jboccagno@sbgtv.com>

Subject: RE: Follow up: mosquitos

I hope the following helps. Thanks, R.

## EPA Pesticide Program Updates

From EPA's Office of Pesticide Programs

www.epa.gov/pesticides

November 7, 2017

## In This Update:

# EPA Registers the Wolbachia ZAP Strain in Live Male Asian Tiger Mosquitoes

On November 3, 2017, EPA registered a new mosquito biopesticide – ZAP Males® - that can reduce local populations of the type of mosquito (*Aedes albopictus*, or Asian Tiger Mosquitoes) that can spread numerous diseases of significant human health concern, including the Zika virus.

ZAP Males® are live male mosquitoes that are infected with the ZAP strain, a particular strain of the Wolbachia bacterium. Infected males mate with females, which then produce offspring that do not survive. (Male mosquitoes do not bite people.) With continued releases of the ZAP Males®, local Aedes albopictus populations decrease. Wolbachia are naturally occurring bacteria commonly found in most insect species.

This time-limited registration allows MosquitoMate, Inc. to sell the *Wolbachia*-infected male mosquitoes for five years in the District of Columbia and the following states: California, Connecticut, Delaware, Illinois, Indiana, Kentucky, Massachusetts, Maine, Maryland, Missouri, New Hampshire, New Jersey, Nevada, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, and West Virginia. Before the ZAP Males® can be used in each of those jurisdictions, it must be registered in the state or district.

When the five-year time limit ends, the registration will expire unless the registrant requests further action from EPA.

EPA's risk assessments, along with the pesticide labeling, EPA's response to public comments on the Notice of Receipt, and the proposed registration decision, can be found on <a href="https://www.regulations.gov">www.regulations.gov</a> under docket number <a href="https://www.regulations.gov">EPA-HQ-OPP-2016-0205</a>.

EPA distributes its Pesticide Program Updates to external stakeholders and citizens who have expressed an interest in the agency's pesticide program activities and decisions. This update service is part of EPA's continuing effort to improve public access to federal pesticide information.

For general questions about pesticides and pesticide poisoning prevention, contact the National Pesticide Information Center (NPIC), by email at <a href="mailto:npic@ace.orst.edu">npic@ace.orst.edu</a> or, by visiting <a href="mailto:nttp://npic.orst.edu">nttp://npic.orst.edu</a>.

<!--[if



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This email was sent to Daguillard.Robert@epa.gov using GovDelivery Communications Cloud on behalf of: U.S. EPA Office of Chemical Safety and Pollution Prevention - 707 17th St, Suite 4000 - Denver, CO 80202 - 1-800-439-1420



From: Julia Boccagno [mailto:jboccagno@sbgtv.com] Sent: Wednesday, November 08, 2017 11:21 AM To: Daguillard, Robert < Daguillard.Robert@epa.gov>

Subject: Follow up: mosquitos

Hi Robert,

It was a pleasure talking to you.

I'm following up on our conversation earlier to obtain more information about the EPA's recent approval of a bacterium to kill wild mosquitos. Would you be able to pass along that information, and I can re-evaluate from there.

Separately, I cover a lot of environmental stories here at Circa, and I was wondering if there's a press distribution list you would be able to add me to.

Many thanks,

Julia

Julia Boccagno | Multimedia journalist 571.457.6089.

@juliaboccagno

<image001.png>

<image001.png>

From: Jones, Enesta [Jones.Enesta@epa.gov]

**Sent**: 11/16/2017 11:23:53 PM

To: Wendee Nicole Ex. 6 Personal Privacy (PP)

**CC**: Press [Press@epa.gov]

**Subject**: Re: [SPAM-Sender] Re: press inquiry/2nd time

Wendee -

ENTACT study wristbands have not been deployed in the environment for any type of disaster-related monitoring. Rather, we have sent out wristbands, that were developed as analytical controls, to about 30 different laboratories for the purpose of method evaluation.

**On background:** The list of partners we sent previously is the list of laboratories that are doing the evaluation. Feel free to reach out to Kim Anderson at Oregon State University. We worked with her lab to design the wristbands, but she also has published other research on wristbands and may have had some deployed during an emergency response situation.

On Nov 16, 2017, at 3:15 PM, Wendee Nicole < Ex. 6 Personal Privacy (PP) wrote:

Where have they been deployed? Any after Hurricane Harvey? W

Wendee Nicole, M.S. www.wendeenicole.com

\* Freelance Writer \* Photographer \*

Founder & Director, REDEMPTION SONG FOUNDATION UGANDA

http://www.redemptionsongfoundation.org

Online writing class starts 12/13: <a href="http://www.wendeenicole.com/nature.htm">http://www.wendeenicole.com/nature.htm</a>

From: "Daguillard, Robert" < Daguillard. Robert@epa.gov>

**Date:** Thursday, November 16, 2017 at 12:38 PM **To:** Wendee Nicole ≤ **Ex. 6 Personal Privacy (PP)** >

Cc: Press < Press@epa.gov>

Subject: RE: [SPAM-Sender] Re: press inquiry/2nd time

Wendee, same attribution as earlier, please:

ENTACT is led by ORD researchers Elin Ulrich and Jon Sobus, and has partners from University of Alberta, University of Birmingham, UC Davis, Colorado School of Mines, Cornell University, Emory University, Florida International University, University of Florida, Mount Sinai, Duke University, NC State University, the Scripps Research Institute, University of Washington Tacoma, Wisconsin State Laboratory of Hygiene, San Diego State University, Pacific Northwest National Laboratory, Swiss Federal Institute of Aquatic Science and Technology, California Department of Public Health, Cal EPA, Research Centre for Toxic Compounds in the Environment, USGS, AB Sciex Pte, Agilent, LECO Corporation, Thermo Fisher Scientific, and Waters Corporation.

The wristbands have been deployed.

From: Daguillard, Robert

Sent: Tuesday, November 14, 2017 5:32 PM

To: 'Wendee Nicole' 

Ex. 6 Personal Privacy (PP) 

Subject: RE: [SPAM-Sender] Re: press inquiry/2nd time

Hey Wendee. Let me check.

From: Wendee Nicole [mailto: Ex. 6 Personal Privacy (PP)

Sent: Tuesday, November 14, 2017 5:15 PM

To: Daguillard, Robert < Daguillard.Robert@epa.gov>

Cc: Press < Press@epa.gov>

Subject: Re: [SPAM-Sender] Re: press inquiry/2nd time

Excellent thank you!

Can you tell me the names of scientists who are involved in that new ENTACT study with the wristbands? Have any been deployed yet?

On Nov 14, 2017, at 3:56 PM, Daguillard, Robert <a href="mailto:Nobert@epa.gov">Daguillard.Robert@epa.gov</a> wrote:

Hullo Wendee,

For attribution to "an EPA spokesperson," please:

Chemical risk is a function of both hazard inherent to a chemical and exposure (the amount of a chemical that you get exposed to). Collecting data on exposure is traditionally a challenge, requiring bulky monitoring devices or analysis of biological samples such as blood and urine. Silicone wristbands present an opportunity for an inconspicuous, non-invasive means of measuring chemical exposure. However, additional research is needed to directly relate what is measured in silicone wristbands to human exposure.

EPA's Non-Targeted Analysis Collaborative Trial (ENTACT) is a multi-phase project to evaluate the ability to use "non-targeted" analysis to measure thousands of chemicals simultaneously in samples. The ENTACT project involves several dozen academic, government, and industrial groups all analyzing matched samples to demonstrate consistency and identify where combinations of techniques might be needed to see everything in a known sample. In the first phase, the samples being analyzed are liquids with artificial mixtures created by EPA. In the second phase, dust, blood, and silicone wristbands will be analyzed by all the involved groups. This collaborative trial should further develop our ability to interpret data collected from silicone wristbands.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Wendee Nicole [mailto: Ex. 6 Personal Privacy (PP) ]

Sent: Thursday, November 09, 2017 12:24 PM

**To:** Daguillard, Robert < Daguillard.Robert@epa.gov > **Subject:** [SPAM-Sender] Re: press inquiry/2nd time

I have an assigned feature for environmental health perspective. I put the link in the original email. It's a publication of the NIEHS. It's due November 21 but I need all my information by the 15th to be able to write it in time.

Do you know about the silicone wristbands? Are you asking me to explain them or you were asking me something else? Basically they're being used by scientist all over the place to study personal chemical exposures. EPAs John Wambaugh was quoted in an article for chemical and engineering news and that's why I thought he would be a good one to get a quote from.

The other part is just to get some details about the cleanup of the San Jacinto River pits. I'm taking it that's a different department than yours?

Would you be willing to forward my email to the general press office since the region six people aren't getting back to me? I'm having a bunch of computer problems at the moment so that would be greatly appreciated!

#### Wendee

<u>WendeeNicole.com</u> **Director**, RedemptionSongFoundation.org

Sent from my iPhone - excuse brevity & typos

Hullo Wendee,

Someone will get back to you on the Harvey question. Can you tell me more about the silicone wristband part? Who are you hoping to write for?

Thanks, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
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Ex. 6 Personal Privacy (PP) (M)

From: Wendee Nicole [mailto: Ex. 6 Personal Privacy (PP)

Sent: Thursday, November 09, 2017 11:19 AM

To: R6Press < R6Press@epa.gov>; Lynn, Tricia < lynn.tricia@epa.gov>

Cc: StClair, Christie <StClair.Christie@epa.gov>; Daguillard, Robert <Daguillard.Robert@epa.gov>

Subject: press inquiry/2nd time

Importance: High

Dear EPA Press Office,

I emailed Region 6 previously and did not get a reply. I am a freelance writer assigned to write a feature for Environmental Health Perspectives (<a href="https://ehponline.com">ehponline.com</a>) about environmental contaminants after Hurricane Harvey in the Houston area, and would like to ask some questions about the San Jacinto River Pits and other Superfund sites in the region.

I am also reporting on the use of silicone wristbands to measure chemical exposures, and two possibly good sources for me to interview (or receive answers from) would be John Wambaugh or Kristin Isaacs with the EPA's Office of Research & Development, as they were quoted in a previous article for C&E News on this topic.

My deadline is Nov 15.

I had previously sent the following 2 questions about the Record of Decision as I was not clear on how that worked:

is the Oct 11 Record of Decision FINAL as I also saw there a 60-day comment period? That was supposed to be ended with a Oct 20 public hearing – is there minutes or aa report from that meeting? Can the companies (PRPs) sue to reverse this decision or is it set in stone?

I ccd a couple of contacts from the Press page that May be able to help – environmental justice, hazardous waste, and R&D.

Kind regards,
Wendee Nicole – Ex. 6 Personal Privacy (PP)

Wendee Nicole, M.S. www.wendeenicole.com

\* Freelance Writer \* Photographer \*

Founder & Director, REDEMPTION SONG FOUNDATION UGANDA

http://www.redemptionsongfoundation.org

Online writing class starts 12/13: http://www.wendeenicole.com/nature.htm

**To:** Sam Abuelsamid[Sam.Abuelsamid@navigant.com]

**Cc:** Press[Press@epa.gov]

From: Daquillard, Robert[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BBE9682B940C4F2C90732E4D37355DD4-DAGUILLARD,]

Sent: Thur 11/16/2017 8:46:40 PM (UTC)
Subject: FW: Domestics vs Import for CAFE

Sam, for attribution to EPA or to "an agency spokesperson," please:

I'm trying to find information on how domestic vs import is determined for classifying car fleets for CAFÉ purposes and I have a few questions.

#### Are cars still split into domestic and import fleets for CAFÉ calculation purposes?

Yes. This is required by law for passenger automobiles. See 49 U.S.C. 32904.

#### And are trucks all lumped together?

Yes, CAFE values are calculated separately for <u>light-duty</u> trucks. Note that heavy-duty vehicles (trucks) are also required to meet fleet average fuel economy (fuel consumption) standards.

#### Where can I find a list of which vehicles are classed as domestic or import?

EPA currently doesn't provide a list of domestic or import passenger vehicles on the web. If Navigant Research staff have questions about the classification of a few vehicles for a specific model year (prior to the 2017 model year), we can look them up.

My understanding is that a vehicle must have 75% US/Canada content to classed as domestic. Is this correct or is it NAFTA-region content for domestic?

Please see my explanation above. See <u>49 U.S.C. 32904</u>. EPA's implementing regulations are in <u>40 CFR 600.511-08</u>, <u>Determination of domestic production</u>

#### Who determines a vehicles domestic/import classification? Do OEMs self-certify or does EPA/NHTSA do this?

Automobile manufacturers are required to provide a list of their domestic and import passenger cars (and the import content of each carline) in their final CAFE model year report which is submitted to EPA. Occasionally, EPA has questions about the classification of some vehicles and will request more information/documentation from the manufacturer.

#### What parts are included in the domestic import calculation?

Please see explanation above. EPA has issued several guidance letters outlining how manufacturers should determine the import content of various automobile parts, components and assemblies.

I saw one reference that stated only parts listed in the 1992 AALA are included which would pre-date large batteries so they might not be included. Is this true?

EPA regulations do not provide lists of parts to be included in the determination of domestic/import classification

Regards, R.

Robert Daguillard
Office of Media Relations
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Ex. 6 Personal Privacy (PP) (M)

From: Sam Abuelsamid [mailto:Sam.Abuelsamid@navigant.com]

Sent: Friday, November 10, 2017 1:20 PM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

**Subject:** Domestics vs Import for CAFE

Importance: Low

Hello Robert

Seife v. EPA (1:19-cv-05190) 9.1.2020 ED\_003047\_00006555-00001

I'm trying to find information on how domestic vs import is determined for classifying car fleets for CAFÉ purposes and I have a few questions.

- Are cars still split into domestic and import fleets for CAFÉ calculation purposes? And are trucks all lumped together?
- Where can I find a list of which vehicles are classed as domestic or import?
- My understanding is that a vehicle must have 75% US/Canada content to classed as domestic. Is this correct or is it NAFTA-region content for domestic?
- Who determines a vehicles domestic/import classification? Do OEMs self-certify or does EPA/NHTSA do this?
- What parts are included in the domestic import calculation?
- I saw one reference that stated only parts listed in the 1992 AALA are included which would pre-date large batteries so they might not be included. Is this true?

Thanks for your assistance Sam

SAM ABUELSAMID | Senior Analyst

Energy | Navigant Research | Detroit

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www.navigantresearch.com

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From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 11/16/2017 7:51:54 PM

**To**: Christopher Calnan [reportr@msn.com]

CC: Press [Press@epa.gov]
Subject: RE: synthetic turf toxicity

Chris, for attribution to "an EPA spokesperson," please:

Our researchers finished collecting samples at the end of October and are currently conducting analysis. EPA expects to release a report in 2018.

If you would like to be notified when the report is released, you may sign up on our website: <a href="https://www.epa.gov/chemical-research/federal-research-recycled-tire-crumb-used-playing-fields">https://www.epa.gov/chemical-research/federal-research-recycled-tire-crumb-used-playing-fields</a>

The sign-up is towards the bottom of the page on the right side, under the box marked "Related Links."

Cheers, R.

Robert Daguillard
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Ex. 6 Personal Privacy (PP) (M)

From: Christopher Calnan [mailto:reportr@msn.com]

Sent: Thursday, November 16, 2017 1:57 PM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

Subject: Re: synthetic turf toxicity

This is what prompted our story: <a href="http://www.ehhi.org/newturf-release.php">http://www.ehhi.org/newturf-release.php</a>

Newturf Release | Environment & Human Health, Inc.

## www.ehhi.org

Shredded waste tires have been sold as crumb rubber infill for synthetic turf fields and as rubber mulch to surface our youngest children's playgrounds before testing ...

From: Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u>>

Sent: Thursday, November 16, 2017 1:50 PM

**To:** Lynn, Tricia; Christopher Calnan **Subject:** RE: synthetic turf toxicity

Good afternoon Chris and thanks to Tricia for forwarding.

Chris, who are you writing for and when's your deadline? Are you writing a short blurb or a long-form piece?

Happy to discuss as needed.

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
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Ex. 6 Personal Privacy (PP) (M)

From: Lynn, Tricia

**Sent:** Thursday, November 16, 2017 1:29 PM **To:** Christopher Calnan <<u>reportr@msn.com</u>>

Cc: Daguillard, Robert < Daguillard.Robert@epa.gov>

Subject: RE: synthetic turf toxicity

Hi Christopher-

I believe you'll want to speak with my colleague, Robert Daguillard, whom I've copied here for your convenience.

Thanks so much,

Tricia

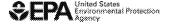
**From:** Christopher Calnan [mailto:reportr@msn.com] **Sent:** Wednesday, November 15, 2017 7:48 PM

To: Lynn, Tricia <lynn.tricia@epa.gov>

Subject: synthetic turf toxicity

Tricia,

Are you the contact person for the synthetic turf research issue? <a href="https://www.epa.gov/chemical-research/federal-research-recycled-tire-crumb-used-playing-fields">https://www.epa.gov/chemical-research/federal-research-recycled-tire-crumb-used-playing-fields</a>



Federal Research on Recycled Tire Crumb

Used on Playing ...

### www.epa.gov

Ground rubber is recovered from scrap tires or from the tire retreading process. It is used in road construction and in athletic and recreational applications, like

I want to get an update on when the next report is scheduled to be released. Thank you in advance.

Sincerely, Christopher Calnan Boston 617-680-4084 christophercalnan.com

"An informed citizenry is the bulwark of a democracy." Thomas Jefferson

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 11/15/2017 10:20:06 PM

**To**: Steve Verburg [SVerburg@madison.com]

**CC**: Press [Press@epa.gov]

**Subject**: FW: Press Inquiry about Fuel: ethanol, RFS, fuel efficiency

Steve, for attribution to "an EPA spokesperson," please:

EPA staff review scientific research relevant to the RFS program, and will review this study once it is published as a part of that long-standing practice.

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
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Ex. 6 Personal Privacy (PP) (M)

From: Steve Verburg [mailto:SVerburg@madison.com]
Sent: Wednesday, November 15, 2017 3:18 PM
To: Press <Press@epa.gov>

Subject: Press Inquiry about Fuel: ethanol, RFS, fuel efficiency

Good afternoon,

I'm writing on deadline about research indicating crop conversion associated with ethanol production released 30 million tons of carbon from 2008-2012, and the researchers have said there should be changes to EPA policies that have allowed cropland expansion.

Can you tell me if the EPA feels its policies on crop conversion are working?

Thanks,

Steve Verburg
Reporter, Wisconsin State Journal
608.252.6118
@St\_Verburg

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 11/9/2017 3:48:56 PM

**To**: Gilles CLARENNE [Gilles.CLARENNE@afp.com]

**CC**: Press [Press@epa.gov]

Subject: RE: Media Inquiry - Interview on Dicamba

Gilles, a follow-up, for attribution to EPA, please:

The program is declining this reporter's request for an on-camera interview, but thinks the following language (web links and standard, pre-approved statements) will answer many of his questions. Gilles Clarenne, Agence-France Presse – gilles.clarenne@afp.com

#### **RESPONSE**

I think he should start w/ our webpage and the press release we put out. That would answer a lot of his questions on what we're doing.

https://www.epa.gov/ingredients-used-pesticide-products/registration-dicamba-use-genetically-engineered-crops

https://www.epa.gov/pesticides/epa-and-states-collective-efforts-lead-regulatory-action-dicamba

Here's some standard language on what tests are required for pesticide registration.

Before pesticides can be manufactured, distributed, or sold in the United States, they first undergo a rigorous registration process. The Agency requires many different scientific studies be submitted to the Agency from applicants wishing to register new pesticides, as mandated by the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). The number of studies submitted to support a registration application can be in the hundreds. Congress placed this obligation on the pesticide manufacturer rather than requiring others to develop and fund such data development. For more information see https://www.epa.gov/pesticide-registration/registration-requirements-and-guidance.

From: Daguillard, Robert

Sent: Thursday, November 09, 2017 8:43 AM

**To:** 'Gilles CLARENNE' < Gilles.CLARENNE@afp.com> **Subject:** RE: Media Inquiry - Interview on Dicamba

#### Good morning,

I've asked about a possible interview. It's doubtful we'll be able to do one, to be honest, but we'll certainly send you a written response.

Also, a reminder that tomorrow (Friday) is a federal holiday, so our offices will be closed. At the latest, we'll be in touch early next week.

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency

Washington, DC +1 (202) 564-6618 (O) Ex. 6 Personal Privacy (PP) (M)

From: Gilles CLARENNE [mailto:Gilles.CLARENNE@afp.com]

**Sent:** Wednesday, November 08, 2017 4:40 PM **To:** Daguillard, Robert < <u>Daguillard, Robert@epa.gov</u>> **Subject:** Re: Media Inquiry - Interview on Dicamba

Hello,

Thanks for the quick response. Questions will be really general: since when has Dicamba been offered on the US market? How has EPA tested the new formula of Dicamba? How do you test the volatility of a product? What are the recommendations made by EPA regarding use of Dicamba? Do state regulations overrule EPA's?

Ideally I'm looking for an interview this Thursday, Friday or beginning of next we. Would that be possible?

Best.

Gilles Clarenne

Le 8 nov. 2017 à 15:20, Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u>> a écrit :

Bonjour,

A quick word to acknowledge receipt. Do you have some specific questions – as well as a deadline?

Thanks, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

From: Gilles CLARENNE [mailto:Gilles.CLARENNE@afp.com]

Sent: Wednesday, November 08, 2017 4:16 PM

To: Daguillard, Robert < Daguillard, Robert@epa.gov > Subject: Media Inquiry - Interview on Dicamba

Hello,

We at AFP news agency would be interested in interviewing an EPA representative on the Dicamba pesticide regulation in the United States.

Could you please let me when it would be possible to schedule an on camera interview in Washington DC?

Best Regards,

Gilles Clarenne Video Journalist - AFP Washington 202-413-2612

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 11/9/2017 3:48:15 PM

**To**: Echo Huang Yinyin [echo@qz.com]

**CC**: Press [Press@epa.gov]

**Subject**: RE: Media(Quartz)inquiry on releasing "killer" mosquitos to fight diseases

Echo, a quick follow-up to our response from yesterday, for attribution to "an EPA spokesperson," please:

# Incoming: What are the volumes that you predict to be released per week in each state?

Response: The number of ZAP Males® released in a given area depends on how many wild male Asian tiger mosquitoes are present in that area. The numbers will vary by region and by mosquito season. Applicators must monitor the area for wild Asian tiger mosquitoes and then apply, at minimum, 10 times the number of ZAP Males® to the number of wild males present. EPA cannot predict the number of ZAP Males® that will be released per week in each state.

### Incoming: When is the releasing work going to begin? Or has it already begun?

Response: As is the case for all pesticides that are registered by EPA, Mosquito Mate's ZAP Males® must first be registered by each state lead agency before they can be used in the area.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
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Ex. 6 Personal Privacy (PP) (M)

From: Echo Huang Yinyin [mailto:echo@qz.com] Sent: Tuesday, November 07, 2017 8:50 PM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

Subject: Media(Quartz)inquiry on releasing "killer" mosquitos to fight diseases

Hi, Robert,

Hope this email finds you well.

This is Echo from Quartz(qz.com), a New York-based news outlet founded in 2012. I am reporting from Hong Kong.

I am writing for queries of EPA's plan to release insects in 20 states and Washington D.C with MosquitoMate, reported by Nature this week.

I would like to ask the EPA:

- 1. If you can confirm the plan?
- 2. What are the 20 states exactly?
- 3. What are the volumes that you predict to be released per week in each state?
- 4. When is the releasing work going to begin? Or has it already begun?

Looking forward to hearing from you.

Best,

Echo

Echo Huang, Hong Kong Reporter

Quartz | @echohuangy | m + Ex. 6 Personal Privacy (PP)

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 11/14/2017 7:48:47 PM

**To**: Kerry Reals [kerry@realsreporting.com]

**CC**: Press [Press@epa.gov]

Subject: RE: Media Query on Rulemaking for ICAO Aircraft CO2 Standard

Hey Kerry,

For attribution to "an EPA spokesperson," please:

The agency is developing a proposed CO₂ emission standards for commercial aircraft, consistent with the standard adopted by the International Civil Aviation Organization in February 2016. We do not have a timeline to share at this point.

Cheers, R.

Robert Daguillard
Office of Media Relations
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Ex. 6 Personal Privacy (PP) (M)

From: Kerry Reals [mailto:kerry@realsreporting.com]

Sent: Tuesday, November 14, 2017 9:29 AM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

Subject: Re: Media Query on Rulemaking for ICAO Aircraft CO2 Standard

Hi Robert,

Thanks for getting back to me. We'd like to publish the article tomorrow ideally, so if you could get back to me by end of play your time today that would be great. I've written up the European stuff, ie that EASA has begun the process of signing the new aircraft CO2 emissions standard into EU law, but I'd like to include a few lines to say what stage other aircraft-producing nations are up to. As the U.S. was one of the 36 states on the ICAO Council that agreed to adopt the new standard in March, presumably that means it does also plan to translate it into U.S. law?

Thanks, Kerry

On Tue, Nov 14, 2017 at 2:20 PM, Daguillard, Robert < Daguillard, Robert@epa.gov > wrote:

Good morning (afternoon to you) Kerry and thanks for reaching out.

Let me check. I take it you're on deadline, since you're writing a piece? Thanks for letting me know by what day/time we should get back to you.

From: Kerry Reals [mailto:kerry@realsreporting.com]

Sent: Tuesday, November 14, 2017 4:52 AM

To: Jones, Enesta <<u>Jones.Enesta@epa.gov</u>>; Daguillard, Robert <<u>Daguillard.Robert@epa.gov</u>>

Subject: Media Query on Rulemaking for ICAO Aircraft CO2 Standard

## Good morning,

I'm a UK-based journalist writing a piece for Runwaygirlnetwork.com on the European Aviation Safety Agency's moves to adopt the new aircraft CO2 standard agreed at ICAO earlier this year. I'm trying to find out the status of similar action in the U.S. and was referred to the EPA by a spokesperson at the FAA.

I understand it is the EPA's responsibility under the Clean Air Act to begin the process of putting the ICAO aircraft CO2 standard into practice. Please could you provide an update on when the EPA is expected to publish a rulemaking action aimed at adopting this standard in the U.S.? Thank you.

Kind regards,

Kerry

--

Kerry Reals
Director
Reals Reporting Ltd
+44 (0)1287 610321

@KerryReals

Kerry Reals Director Reals Reporting Ltd +44 (0)1287 203378 @KerryReals To: bgibbons@express-news.net[bgibbons@express-news.net]

Press[Press@epa.gov] Cc:

Daguillard, Robert[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP From:

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BBE9682B940C4F2C90732E4D37355DD4-DAGUILLARD,]

Mon 11/27/2017 9:14:05 PM (UTC) Sent: Subject: RE: 2015 ozone nonattainment

Brendan, for attribution to "an EPA spokesperson," please:

On November 6th, EPA moved forward with final attainment designations (for 2015 ozone NAAQS) for nearly 90 percent of the country. For the remaining areas, EPA is not yet prepared to issue designations. EPA will issue designations at a later date.

Regards, R.

Robert Daguillard Office of Media Relations U.S. Environmental Protection Agency Washington, DC +1 (202) 564-6618 (O) Ex. 6 Personal Privacy (PP) (M)

From: Gibbons, Brendan [mailto:BGibbons@express-news.net]

Sent: Wednesday, November 22, 2017 12:18 PM

To: Press < Press@epa.gov>

Subject: 2015 ozone nonattainment

Hello, I am on deadline for a story about Bexar County, Texas (San Antonio), not being listed in attainment in the final rule document issued earlier this month.

https://s3.amazonaws.com/public-inspection.federalregister.gov/2017-24640.pdf

Bexar County is not listed at all. Does that mean the county is in attainment? If not, how will EPA address Bexar County in the future?

My deadline is 5 p.m. Central Time.

Thank you,

#### **Brendan Gibbons**

**Environment and water reporter** 210-250-3223 (o) Ex. 6 Personal Privacy (PP) (m)

bgibbons@express-news.net

# San Antonio Express-News

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From: Daguillard, Robert [Daguillard.Robert@epa.gov]

 Sent:
 10/31/2017 4:33:52 PM

 To:
 Gary Stoller [Ex. 6 Personal Privacy (PP)]

CC: Press [Press@epa.gov]; Deegan, Dave [Deegan.Dave@epa.gov]

**Subject**: Gary: Use of Chlorpyrifos

Dear Gary, we at EPA HQ received your inquiry via from my colleagues Deb Szaro and Dave Deegan. The following is for attribution to "an EPA spokesperson," please:

In general, chlorpyrifos use has declined across the U.S. over the past decade. EPA does not have specific data on the use of chlorpyrifos in Connecticut or New England for recent years. The Connecticut Department of Energy and Environmental Protection may have more information.

Trends in pesticide use can be driven by a number of factors. They may be driven by use on a specific crop or groups of crops or use of a pesticide can fluctuate from year to year because of the extent and type of pest pressure, changes in the types of crops grown, use of an alternative pesticide (possibly choosing a less expensive alternative), changes due to restrictions on similar pesticides, use of new crop varieties that are more tolerant of pest damage, or possibly, the value of the crop has declined and growers are spending less on insect control.

Regards, R.

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Ex. 6 Personal Privacy (PP) (M)

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 11/27/2017 3:54:24 PM

To: Sarah Okeson [sokeson@dcreport.org]

CC: Press [Press@epa.gov]
Subject: RE: media question

Sarah, for attribution to "an EPA spokesperson," please:

EPA cannot comment on draft legislation, but we will continue to work with our federal partners and as always we stand ready to provide technical assistance to legislative drafters when requested. EPA is continuing to work with the Services on ESA consultations for malathion, chlorpyrifos, and diazinon.

Regards, R.

Robert Daguillard
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Washington, DC
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

From: Sarah Okeson [mailto:sokeson@dcreport.org]

Sent: Monday, November 20, 2017 4:29 PM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

Subject: Re: media question

Information I have is in the links in my first email.

Sarah Okeson

DCReport.org

On 11/20/2017 1:35 PM, Daguillard, Robert wrote:

Got it. Just got word from the pesticides program that they're working on a response, but that we may not get it today.

Also, can you tell me what members of Congress sponsored the bill you forwarded? Did they just introduce it, say, in the past week?

From: Sarah Okeson [mailto:sokeson@dcreport.org]

Sent: Monday, November 20, 2017 2:29 PM

To: Daguillard, Robert <a href="mailto:Daguillard.Robert@epa.gov">Daguillard.Robert@epa.gov</a>

Subject: Re: media question

I'm planning to write something today. Both questions are for the same story.

Sarah Okeson

DCReport.org

417-379-2240

On 11/20/2017 1:09 PM, Daguillard, Robert wrote:

Good afternoon Sarah,

Let me look into this for you. FYI, what's your deadline, and are both your questions part of your research for the same story?

For my edification – and to make sure we give you the best possible info, how will the information we give you fit into your larger story?

Happy to discuss.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) | M)

From: Lynn, Tricia

Sent: Monday, November 20, 2017 2:04 PM

To: Daguillard, Robert <a href="mailto:Daguillard.Robert@epa.gov">Daguillard.Robert@epa.gov</a>

Subject: FW: media question

For you, I believe...

From: Sarah Okeson [mailto:sokeson@dcreport.org]

**Sent:** Monday, November 20, 2017 1:57 PM **To:** Lynn, Tricia < lynn.tricia@epa.gov>

Subject: media question

I'm working on an article about the <u>draft legislation</u> about pesticides and the Endangered Species Act. What is the EPA's response to the draft?

Also, what action has the EPA taken on chlorpyrifos, malathion and diazinon since the Dow letter to administrator Pruitt?

Sarah Okeson

DCReport.org

417-379-2240

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 11/27/2017 3:52:07 PM

To: amanda.schmidt@accuweather.com

**CC**: Press [Press@epa.gov]

**Subject**: EPA Response: Pollution in India

Amanda, on behalf of my colleague Enesta Jones, and for attribution to "an EPA spokesperson," please:

#### What causes the pollution in India?

**EPA Response:** The following is general information about fine particulate matter, also known as "particle pollution," or PM2.5. It is not country-specific.

Fine particle pollution comes from a wide range of sources and can be made up of hundreds of different chemicals. Some particles are emitted directly from a source, such as dust from unpaved roads and construction sites, and soot from smokestacks or fires, including wildfires, crop burning and wood heating. Other particles form in the atmosphere as a result of complex chemical reactions from pollution emitted from power plants, industries and motor vehicles.

#### What are the health risks?

**EPA Response:** Exposure to fine particles can affect both the lungs and the heart. Numerous scientific studies have linked particle pollution exposure to a range of health problems, including:

- increased respiratory symptoms, such as irritation of the airways, coughing or difficulty breathing.
- decreased lung function
- aggravated asthma
- irregular heartbeat
- nonfatal heart attacks
- premature death in people with heart or lung disease

People with heart or lung diseases, children, and older adults are the most likely to be affected by particle pollution exposure.

## What are the potential solutions?

**EPA Response:** In the U.S., we have made significant progress in improving air quality under the Clean Air Act by working across all levels of government – EPA, states, tribes and local governments -- both through air quality regulation and permitting, along with voluntary programs. Technology developments also have played an important role in this progress by improving pollution control - -and industries have helped develop new, innovative and more cost-effective methods to reduce pollution. In addition, the Clean Air Act also provides broad opportunities for public participation, and encourages open access to data about emissions and concentrations of pollution in the air – allowing anyone to track our progress toward cleaner air.

# Could this occur anywhere in the United States?

**EPA Response:** It has in the past – but thanks to the U.S. Clean Air Act, and the partnership between EPA, states, tribes and local governments, extremely high levels of particle pollution today are rare. (Forest fires, for example, can generate high levels of fine particle pollution.)

Here's some background for you: In October 1948, a thick cloud of air pollution formed above the industrial town of Donora, Pennsylvania. The cloud, which lingered for five days, killed 20 people and caused sickness in 6,000 of the town's 14,000 people. Events like this alerted us to the dangers that air pollution poses to public health.

In 1970, Congress strengthened the Clean Air Act, created the EPA and gave it the primary role in carrying out the law. Since that time, EPA, together with states, tribes and local air quality agencies, has made tremendous progress in cleaning our nation's air. From 1970 to 2016, the combined *emissions* of six common air pollutants (fine and coarse particulate matter, sulfur dioxide, nitrogen oxides, volatile organic compounds, carbon monoxide and lead) have declined 73 percent, while the economy grew, population increased, energy use increased, and people drove more (vehicle miles traveled increased by 190 percent). See Air Quality Status and Trends at https://gispub.epa.gov/air/trendsreport/2017/#growth\_w\_cleaner\_air

Concentrations of pollutants (what's in the outdoor air) have declined significantly, too. Since 2000 alone, concentrations of fine particulate matter have declined 35 percent compared to the agency's annual standard for the pollutant, and 45 percent, when compared to the 24-hour standard. (Note that we compared the trend to 2000, because PM 2.5 monitoring in the U.S. was not widespread until 1999.) For more details,

see: https://gispub.epa.gov/air/trendsreport/2017/#highlights

Regards, R.

Robert Daguillard
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U.S. Environmental Protection Agency
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Ex. 6 Personal Privacy (PP) (M)

From: Jones, Enesta [Jones.Enesta@epa.gov]

**Sent**: 11/13/2017 2:34:48 PM

**To**: Julia Boccagno [jboccagno@sbgtv.com]

CC: Press [Press@epa.gov]
Subject: RE: Follow up: mosquitos

Hi Julia, thanks for the opportunity. We have to take a pass on the interview at this time. Please feel free to use our written responses as part of your piece.

From: Julia Boccagno [mailto:jboccagno@sbgtv.com]

Sent: Thursday, November 09, 2017 6:27 PM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

Cc: Press < Press@epa.gov>

Subject: Re: Follow up: mosquitos

Hi Robert,

Thanks so much for this. But I was wondering if it's possible to arrange an on-camera interview with someone who can say this since I'm producing a video on it?

From: "Daguillard, Robert" < <u>Daguillard.Robert@epa.gov</u>>

**Date:** Thursday, November 9, 2017 at 5:57 PM **To:** Julia Boccagno < <u>iboccagno@sbgtv.com</u>>

Cc: Press < Press@epa.gov >

Subject: Re: Follow up: mosquitos

Julia, for attribution to "an EPA spokesperson," please:

## 1.) Why now? Why has the ZAP strain method just been approved?

MosquitoMate, the ZAP Males<sup>®</sup> registrant, first requested an experimental use permit (EUP) to test the *Wolbachia* technology in 2013. Since that time MosquitoMate has continued testing *Wolbachia* under a number of EPA-issued EUPs in select locations across the U.S. More information about these field trials can be found on www.regulations.gov under docket number EPA-HQ-OPP-2013-0254.

In early 2016, EPA received a registration application for the ZAP Males<sup>®</sup> as a microbial biopesticide. The data gathered during the preceding EUPs were used to inform the registration decision.

2.) Why were certain states selected for trials? Is this where mosquito-related issues are rampant?

The registrant, in this case, MosquitoMate, decides where they would like to conduct their testing and includes those areas in their applications for EUPs. More information about these field trials can be found on <a href="https://www.regulations.gov">www.regulations.gov</a> under docket number EPA-HQ-OPP-2013-0254.

#### 3.) Who will monitor the release? And what does that process look like?

According to the label, ZAP Males<sup>®</sup> are for use only by MosquitoMate, Inc., those under direct contract with the company, government officials responsible for public health or vector control, or those certified to perform the applications. <u>State lead pesticide agencies</u> monitor for compliance with label requirements.

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.

Ex. 6 Personal Privacy (PP) (M)
202-564-6618 (O)

On Nov 8, 2017, at 12:02 PM, Julia Boccagno < jboccagno@sbgtv.com > wrote:

Hi Robert,

I'm not on a firm deadline, but sooner rather than later is always preferred.

Yes, I've already reached out to Mosquito Mate, and they're interested in talking to me for the piece as well. Since the EPA is the institution that approved it, I believe it's equally vital to include the government's perspective as well.

Does this help?

From: "Daguillard, Robert" < Daguillard.Robert@epa.gov>

Date: Wednesday, November 8, 2017 at 11:55 AM

To: Julia Boccagno < jboccagno@sbgtv.com>

Subject: RE: Follow up: mosquitos

Thanks, Julia. Are you on a firm deadline? When are you hoping to produce your piece (video/audio)?

Also, how will information from EPA fit into your larger story? Other voices you're hoping to include?

Thanks, R.

From: Julia Boccagno [mailto:jboccagno@sbgtv.com]
Sent: Wednesday, November 08, 2017 11:50 AM
To: Daguillard, Robert < Daguillard, Robert@epa.gov>

**Subject:** Re: Follow up: mosquitos

Hi Robert,

Thanks for this. Still wondering if it's possible to arrange a quick on-camera interview, since we're primarily a video-centric news organization. I'd love to talk with someone from this department about the following:

- 1.) Why now? Why has the ZAP strain method just been approved?
- 2.) Why were certain states selected for trials? Is this where mosquito-related issues are rampant?
- 3.) Who will monitor the release? And what does that process look like?

Please let me know if you're able to assist,

Julia

From: "Daguillard, Robert" < Daguillard.Robert@epa.gov>

Date: Wednesday, November 8, 2017 at 11:24 AM

To: Julia Boccagno < iboccagno@sbgtv.com>

Subject: RE: Follow up: mosquitos

Hey Julia,

I hope the following helps. Thanks, R.

# **EPA Pesticide Program Updates**

From EPA's Office of Resticide Programs

MANAGORIO MOSTO PES

November 7, 2017

# In This Update:

# EPA Registers the Wolbachia ZAP Strain in Live Male Asian Tiger Mosquitoes

On November 3, 2017, EPA registered a new mosquito biopesticide – ZAP Males® - that can reduce local populations of the type of mosquito (*Aedes albopictus*, or Asian Tiger Mosquitoes) that can spread numerous diseases of significant human health concern, including the Zika virus.

ZAP Males® are live male mosquitoes that are infected with the ZAP strain, a particular strain of the Wolbachia bacterium. Infected males mate with females, which then produce offspring that do not survive. (Male mosquitoes do not bite people.) With continued releases of the ZAP Males®, local

Aedes albopictus populations decrease. Wolbachia are naturally occurring bacteria commonly found in most insect species.

This time-limited registration allows MosquitoMate, Inc. to sell the *Wolbachia*-infected male mosquitoes for five years in the District of Columbia and the following states: California, Connecticut, Delaware, Illinois, Indiana, Kentucky, Massachusetts, Maine, Maryland, Missouri, New Hampshire, New Jersey, Nevada, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, and West Virginia. Before the ZAP Males® can be used in each of those jurisdictions, it must be registered in the state or district.

When the five-year time limit ends, the registration will expire unless the registrant requests further action from EPA.

EPA's risk assessments, along with the pesticide labeling, EPA's response to public comments on the Notice of Receipt, and the proposed registration decision, can be found on <a href="https://www.regulations.gov">www.regulations.gov</a> under docket number EPA-HQ-OPP-2016-0205.

EPA distributes its Pesticide Program Updates to external stakeholders and citizens who have expressed an interest in the agency's pesticide program activities and decisions. This update service is part of EPA's continuing effort to improve public access to federal pesticide information.

For general questions about pesticides and pesticide poisoning prevention, contact the National Pesticide Information Center (NPIC), by email at npic@ace.orst.edu.

For information about ongoing activities in the Office of Pesticide Programs, visit our homepage at: https://www.epa.gov/pesticides.



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This email was sent to <u>Daguillard.Robert@epa.gov</u> using GovDelivery Communications Cloud on behalf of: U.S. EPA Office of Chemical Safety and Pollution Prevention - 707.17th St., Suite 4000 - Denver, CO 80202 - 1-800-439-1420



From: Julia Boccagno [mailto:jboccagno@sbgtv.com]
Sent: Wednesday, November 08, 2017 11:21 AM
To: Daguillard, Robert < Daguillard.Robert@epa.gov>

Subject: Follow up: mosquitos

Hi Robert.

It was a pleasure talking to you.

I'm following up on our conversation earlier to obtain more information about the EPA's recent approval of a bacterium to kill wild mosquitos. Would you be able to pass along that information, and I can re-evaluate from there.

Separately, I cover a lot of environmental stories here at Circa, and I was wondering if there's a press distribution list you would be able to add me to.

Many thanks,
Julia

—
Julia Boccagno | Multimedia journalist
571.457.6089.
@juliaboccagno

<image001.png>

<image001.png>

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 11/27/2017 3:46:30 PM

To: Rene Ebersole Ex. 6 Personal Privacy (PP)

**CC**: Press [Press@epa.gov]

**Subject**: FW: Comment for Monday article on pyrethoids

Rene, with apologies for the late response, and for attribution to "an EPA spokesperson," please:

EPA is considering the EWG and other comments that were submitted on EPA's draft human health risk assessments as part of the open comment period for certain pyrethrins and pyrethroids. The pyrethroid class of pesticides is currently being re-evaluated as part of the ongoing registration review program. The comment period closed on November 13, 2017 (see docket EPA-HQ-OPP-2011-0039-0083 at <a href="www.regulations.gov">www.regulations.gov</a>). EPA is currently assessing the comments received and will determine whether any risk management is needed. Over the course of 2018, the agency expects to release the remaining draft pyrethroid human health risk assessments for public comment. More information about the status of the pyrethroid re-evaluation can be found at: <a href="https://www.epa.gov/ingredients-used-pesticide-products/pyrethrins-and-pyrethroids#reg%20review">https://www.epa.gov/ingredients-used-pesticide-products/pyrethrins-and-pyrethroids#reg%20review</a>.

Very best, R.

Robert Daguillard
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Ex. 6 Personal Privacy (PP) (M)

From: Rene Ebersole [mailto Ex. 6 Personal Privacy (PP)

Sent: Sunday, November 19, 2017 2:41 PM

To: Press < Press@epa.gov>

Subject: Fwd: Comment for Monday article on pyrethoids

From: Rene Ebersole < Ex. 6 Personal Privacy (PP)

Date: Sun, Nov 19, 2017 at 11:42 AM

Subject: Comment for Monday article on pyrethoids

To: "Daguillard, Robert" < <u>Daguillard.Robert@epa.gov</u>>, "Jones, Enesta" < <u>Jones.Enesta@epa.gov</u>>, "StClair,

Christie" < StClair.Christie@epa.gov >

Hello, Robert

The Food, Environmental, Reporting Network with Mother Jones is set to publish on Tuesday morning (Nov 21) an article about the EWG's letter to the EPA demanding the agency fully consider the risks of low-dose exposures to pyrethroid pesticides during pregnancy and childhood.

EWG charges that "the EPA's draft assessments have omitted the latest studies of American, Canadian, and French children, which indicate these insecticides can impair children's cognition and behavior."

Will you comment on these accusations? My deadline to file the story is 5:00 pm on Monday.

Thank you for your time and attention.

Best,

Rene

# Rene Ebersole

Science Journalist/Contributing Editor Audubon magazine Adj. Professor of Journalism, New York University reneebersole.com/ @rebersole

Rene Ebersole

Science Journalist/Contributing Editor Audubon magazine Adj. Professor of Journalism, New York University reneebersole.com/ @rebersole

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 10/31/2017 2:29:16 PM

To: Maria Hegstad [mhegstad@iwpnews.com]

**CC**: Press [Press@epa.gov]

**Subject**: RE: SAB/CASAC announcement

Good morning Maria,

For attribution to "an EPA spokersperson," please:

My understanding last June was that in the case where EPA had concerns with a reasonably foreseen uses of a chemical in a PMN, but not with the applicant's intended uses, EPA would issue a 5(e) consent order and follow up with a SNUR. I understand that practice may have changed, and OPPT may not be issuing 5(e) orders in this situation -- per the Aug. 7 press release regarding the end of the PMN backlog. Can you clarify?

<u>Response</u>: EPA's August 7th press release has the current information on EPA's policy: "Where EPA has concerns with reasonably foreseen uses, but not with the intended uses as described in a PMN or LVE application, as a general matter, those concerns can be addressed through significant new use rules."

Also, I understand there is some confusion about whether the new confidential business information substantiation policy applies to information submitted through the PMN process, per the <u>January 19</u> directives on CBI substantiation changes required by the Lautenberg Act. Again, can you clarify?

<u>Response</u>: Some information contained in PMN submissions is exempt from CBI substantiation requirements. In order to assist companies with submitting CBI claims, EPA has provided a table indicating what is exempt and the principal statutory basis for each description: <a href="https://www.epa.gov/tsca-cbi/what-include-cbi-substantiations#informationexempt">https://www.epa.gov/tsca-cbi/what-include-cbi-substantiations#informationexempt</a>.

Cheers, R.

Robert Daguillard
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Ex. 6 Personal Privacy (PP) | M)

From: Maria Hegstad [mailto:mhegstad@iwpnews.com]

Sent: Monday, October 30, 2017 3:03 PM

To: Press < Press@epa.gov>

Subject: SAB/CASAC announcement

Hello

I understand that EPA will be announcing the new appointments to SAB and CASAC tomorrow. I have

received a pair of lists with the new members, including chairmen Michael Honeycutt (SAB) and Anthony Cox (CASAC). I am working on a 4 pm deadline on this information. Can anyone there confirm?

The remaining new members I have for SAB are:

Andrews, Rodney

Bernthal, Frederick

Blanz, Bob

Brewer, Todd

Cohen, Samuel

Graham, John D.

Lindstrom, Merlin R.

Merritt, Robert W.

Monroe, Larry

Phalen, Robert

Puls, Robert

Smith, Anne

Smith, Richard

van der Vaart, Donald

White, Kimberly

Young, S. Stanley

And the other two new CASAC members I have are:

Wolk, Larry

Boylan, James

Many thanks, Maria

\_\_\_\_

Maria Hegstad Managing Editor, Risk Policy Report 703-416-8541 Inside Washington Publishers www.InsideEPA.com

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

Sent: 11/27/2017 3:43:58 PM
To: julia.wong@theguardian.com
CC: Press [Press@epa.gov]

Subject: EJ Nail Salon Grant: EPA Response

Julia, for attribution to "an EPA spokesperson," please:

**Question #1:** Does the EPA have an assessment on how many nail salon workers/nail salons are placed at risk by working with dangerous chemicals?

**Answer:** EPA does not track statistics on nail salons or nail salon workers. You may want to contact the Department of Labor's Occupational Safety and Health Administration for this information; OSHA's Health Hazards in Nail Salons page, which includes information on the number of nail technicians in the United States, can be found here: <a href="https://www.osha.gov/SLTC/nailsalons/">https://www.osha.gov/SLTC/nailsalons/</a>

**Question #2:** If possible, I'd love to get a statement from Matthew Tejeda just explaining why healthy nail salons fall within the scope of environmental justice and why it's important to the EPA.

**Answer:** EPA's EJ program focuses on protecting the health of low-income, minority and tribal/indigenous populations from environmental health threats. As such, nail salon workers, who are overwhelmingly vulnerable from a public health perspective and work in an occupational setting where this is a higher potential risk to environmental health threats, are a natural subset of the population that would have environmental justice concerns.

**Question #3:** Finally, the healthy nail salons grants have been <u>singled out by the Heritage Foundation</u> as something that should be eliminated from the budget. Do you have a response to critics who dismiss this kind of small grant as frivolous?

**Answer:** Environmental justice grants have a long record of providing essential support to vulnerable and overburdened populations throughout the United States which are working to achieve environmental health protection for their communities, in keeping with EPA's mission to offer the same level of protection to all Americans based upon our statutory authorities.

Regards, R.

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Ex. 6 Personal Privacy (PP) (M)

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

Sent: 11/24/2017 6:39:31 PM

To: Chris Garofolo Ex. 6 Personal Privacy (PP)

CC: Press [Press@epa.gov]
Subject: RE: Press: Mosquito questions

Chris, for attribution to "an EPA spokesperson," please:

It does seem like this is largely untested, but could this be an effective method for fighting mosquito-borne illnesses?

#### Response:

For three years prior to the registration application, MosquitoMate tested the ZAP Males® in select locations in the U.S. under a number of EPA-issued experimental use permits (EUP). Details including, location, timing, and length of the individual EUPs can be found on <u>regulations.gov</u> by searching under docket number <u>EPA-HQ-OPP-2013-0254</u>.

At the end of these trial periods, results demonstrated that the product is able to reduce Asian Tiger Mosquito populations.

ZAP Males® affect only Asian Tiger Mosquitoes (*Aedes albopictus*). This species can carry numerous viruses that are of human health concern, such as Zika, West Nile, Dengue, Chikungunya, and Yellow Fever.

Has this proven to infect females? Are are any side effects on humans?

#### Response:

No, the male's strain of *Wolbachia* will not transfer to the female. Only male "ZAP" strain Wolbachia- infected mosquitos are being released into the environment, and males do not bite people. Only female mosquitoes bite people. People will not be exposed to the bacteria as a result of the release of these mosquitoes.

Happy Black Friday, R.

Robert Daguillard
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Ex. 6 Personal Privacy (PP) | M)

From: Chris Garofolo [mailto: Ex. 6 Personal Privacy (PP)

Sent: Friday, November 24, 2017 10:32 AM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

Subject: Re: Press: Mosquito questions

Great, thank you!

On Fri, Nov 24, 2017 at 9:15 AM, Daguillard, Robert <a href="Special Control of Paguillard Robert@epa.gov">Daguillard Robert@epa.gov</a> wrote:

Good morning, Chris. Let me see what we can do.

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.

EX. 6 Personal Privacy (PP) (M)
202-564-6618 (O)

On Nov 24, 2017, at 8:53 AM, Chris Garofolo **Ex. 6 Personal Privacy (PP)** wrote:

Hi Robert,

Would it be possible to obtain a few answers today? I was able to get the deadline pushed back and would love to hear from the EPA.

Thanks and Happy Holidays!

Best,

Chris G.

On Tue, Nov 21, 2017 at 10:08 AM, Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u>> wrote:

On it. Thanks, Chris.

From: Chris Garofolo [mailto Ex. 6 Personal Privacy (PP)

Sent: Tuesday, November 21, 2017 9:36 AM

To: Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u>>

Subject: Re: Press: Mosquito questions

Morning, Robert.

Thanks for getting back to me. I did see the release from earlier this month, but I did have a few follow-ups as a result.

It does seem like this is largely untested, but could this be an effective method for fighting mosquito-borne illnesses? Has this proven to infect females? Are are any side effects on humans?

Thanks!

On Tue, Nov 21, 2017 at 9:31 AM, Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u>> wrote:

Good morning Chris,

The following listserv, which EPA's pesticides program sent November 7, should prove helpful. Let me know if you have any additional questions.

# **EPA Pesticide Program Updates**

From EPA's Office of Pesticide Programs

MANAGORIO (A A GESTO TO LOS

November 7, 2017

# In This Update:

# EPA Registers the Wolbachia ZAP Strain in Live Male Asian Tiger Mosquitoes

On November 3, 2017, EPA registered a new mosquito biopesticide – ZAP Males® - that can reduce local populations of the type of mosquito (*Aedes albopictus*, or Asian Tiger Mosquitoes) that can spread numerous diseases of significant human health concern, including the Zika virus.

ZAP Males® are live male mosquitoes that are infected with the ZAP strain, a particular strain of the Wolbachia bacterium. Infected males mate with females, which then produce offspring that do not survive. (Male mosquitoes do not bite people.) With continued releases of the ZAP Males®, local Aedes albopictus populations decrease. Wolbachia are naturally occurring bacteria commonly found in most insect species.

This time-limited registration allows MosquitoMate, Inc. to sell the Wolbachia-infected male mosquitoes for five years in the District of Columbia and the following states: California, Connecticut, Delaware, Illinois, Indiana, Kentucky, Massachusetts, Maine, Maryland, Missouri, New Hampshire, New Jersey, Nevada, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, and West Virginia. Before the ZAP Males® can be used in each of those jurisdictions, it must be registered in the state or district.

When the five-year time limit ends, the registration will expire unless the registrant requests further action from EPA

EPA's risk assessments, along with the pesticide labeling, EPA's response to public comments on the Notice of Receipt, and the proposed registration decision, can be found on <a href="https://www.regulations.gov">www.regulations.gov</a> under docket number EPA-HQ-OPP-2016-0205.

EPA distributes its Pesticide Program Updates to external stakeholders and citizens who have expressed an interest in the agency's pesticide program activities and decisions. This update service is part of EPA's continuing effort to improve public access to federal pesticide information.

For general questions about pesticides and pesticide poisoning prevention, contact the National Pesticide Information Center (NPIC), by email at noic@ace.orst.edu.or, by visiting <a href="http://npic.orst.edu">http://npic.orst.edu</a>.

For information about ongoing activities in the Office of Pesticide Programs, visit our homepage at: https://www.epa.gov/pesticides.



You can unsubscribe or update your subscriptions or e-mail address at any time on your <u>Subscriber Preferences Page</u>. All you will need is your e-mail address. If you have any questions or problems, please e-mail <u>subscriberhelp.govdelivery.com</u> for assistance.

This service is provided to you at no charge by the U.S. Environmental Protection Agency.



This email was sent to <a href="mailto:Daguillard.Robert@epa.gov">Daguillard.Robert@epa.gov</a> using Gov Delivery Communications Cloud on behalf of: U.S. EPA Office of Chemical Safety and Pollution Prevention - 707 17th St, Suite 4000 - Denver, CO 80202 - 1-800-439-1420



From: Chris Garofolo [mailto Ex. 6 Personal Privacy (PP)

Sent: Tuesday, November 21, 2017 9:25 AM

**To:** Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u>>

Subject: Press: Mosquito questions

### Good afternoon, Robert,

My name is Chris Garofolo and I am a correspondent for the Union Leader in New Hampshire. Recently, I was tossed an article from Nature about a new method of fighting mosquitoes with, well, mosquitoes.

New Hampshire is one of the EPA-approved states for a biotech bacteria to be used on male mosquitoes so when they mate with wild females, the fertilized eggs will not hatch.

It does seem like this is largely untested, but could this be an effective method for fighting mosquito-borne illnesses? Has this proven to infect females? Are are any side effects on humans?

If someone could get back to me back 5 p.m. on Tuesday, I'd appreciate it.

Thanks for the assistance and have a great holiday.

Best, Chris G.

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 11/22/2017 5:14:20 PM

To: Colleen Sullivan Ex. 6 Personal Privacy (PP)

**CC**: Press [Press@epa.gov]

Subject: RE: EPA Inquiry on Safer Choice

Colleen, for attribution to "an EPA spokesperson," please:

If you see an EPA Safer Choice symbol on your all-purpose cleaner, it means the ingredients meet the EPA Safer Choice program's health and safety <u>standards</u>. If a product doesn't have the label it could just mean it hasn't been submitted for evaluation by the program.

An all-purpose cleaner is designed to remove dirt, grime, and grease from surfaces but may not kill the germs that cause illness and disease. Look on the label, but in most cases you'll need an antimicrobial product such as a disinfectant or sanitizer to kill germs. Antimicrobial products are required to be registered and their labels will display an EPA registration number. If your all-purpose cleaner claims to kill germs, it should state on the label how long it must stay on a surface to be effective, the specific surfaces where the product may be used and it must be registered. Pesticide products do not use the Safer Choice label, but they may include the Design for the Environment logo if they meet the standards.

Note: The standard for DfE is the same as for Safer Choice – except that the DfE/pesticide products must also undergo review under FIFRA (the pesticide law).

From: Daguillard, Robert

Sent: Monday, November 20, 2017 3:24 PM

To: 'Colleen Sullivan' (Ex. 6 Personal Privacy (PP)

Subject: RE: EPA Inquiry on Safer Choice

Hoping to. Would tomorrow work if we don't make it?

From: Colleen Sullivan [mailto: Ex. 6 Personal Privacy (PP)

Sent: Monday, November 20, 2017 3:22 PM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

Cc: Jones, Enesta < Jones. Enesta@epa.gov > Subject: Re: EPA Inquiry on Safer Choice

Thank you Robert. Do you think you'll have answers by the end of the day?

Sent from my iPhone

On Nov 20, 2017, at 12:36 PM, Daguillard, Robert < <u>Daguillard Robert@epa.gov</u>> wrote:

Hullo Colleen,

I'm checking on this for you.

Regards, R.

From: Colleen Sullivan [mailto: Ex. 6 Personal Privacy (PP)

**Sent:** Monday, November 20, 2017 12:22 PM **To:** Jones, Enesta < <u>Jones. Enesta@epa.gov</u>>

Cc: Daguillard, Robert < Daguillard.Robert@epa.gov>

Subject: Re: EPA Inquiry on Safer Choice

Hi – just checking in to see if you have answers for me re: these tips. Thank you! Best, Colleen

Sent from my iPhone

On Nov 17, 2017, at 5:16 PM, Jones, Enesta < <u>Jones.Enesta@epa.gov</u>> wrote:

Hi Colleen, this will spill over until Monday. Robert Daguillard, copied here, will be in touch then.

Thanks, Enesta

On Nov 17, 2017, at 9:42 AM, Colleen Sullivan

Ex. 6 Personal Privacy (PP) > wrote:

Hi Enesta.

My hard deadline is Monday but I'm hoping to get this together by the end of the day today if possible. Thank you for your help it's very much appreciated. Best, Colleen

Sent from my iPhone

On Nov 17, 2017, at 7:48 AM, Jones, Enesta < Jones. Enesta@epa.gov > wrote:

Hi Colleen, thanks for reaching out. I'm checking into this for you. What's your hard deadline?

From: Colleen Sullivan

mailto Ex. 6 Personal Privacy (PP)

Sent: Thursday, November 16, 2017 8:35 PM To: Mears, Mary < Mears. Mary@epa.gov >

Subject: HGTV magazine story

Hi Mary,

I just left a message on your voicemail. I am a writer working on a cleaning story for HGTV magazine—hoping you can confirm the following text boxes give to me by one of the sources being quoted in the story. Please feel free to make any changes and note my one question to you.

I'm hoping to turn this around tomorrow. I appreciate your help! Best, Colleen

Both of these quotes revolve around all-purpose cleaners:

If you see an EPA Safer Choice symbol on your all-purpose cleaner, it means the ingredients are safer alternatives to traditional

ingredients. However, the EPA's Safer Choice limits their seal to products that are literally "the safest" or "least risky", which doesn't mean the ones that didn't make the cut aren't low risk and not safe, they just weren't the safest or they just weren't submitted for testing (companies need to submit products to the EPA to earn the seal).

An all-purpose cleaner will remove dirt, grime, and grease from surfaces but may not kill the germs that cause illness and disease. Look on the label, but in most cases you'll need a disinfectant to do that. If your all-purpose cleaner claims to kill germs, it should state on the label how long it must stay on a surface to be effective, and should have an EPA symbol meaning the product does what it says it does on the label. [Mary: Is this the same Safer Choice symbol or a different one?]

From: Jones, Enesta [Jones.Enesta@epa.gov]

Sent: 11/3/2017 8:26:54 PM
To: spearson@bna.com
CC: Press [Press@epa.gov]

**Subject**: RE: Press Inquiry about Toxics/TSCA

Hi Sam, responses below are attributable to an EPA spokesperson:

**Incoming:** We really were wondering how many FTEs were at OPPT before the new TSCA law vs now; and if there are employees transferred there from the pesticides office, and if so, how many?

**Response:** OPPT's FTE ceiling remained unchanged after the passage of amended TSCA. However, OPPT has brought on some assistance through non-competitive detail (i.e. temporary assignment) positions from other EPA offices. One of those staff detailed to OPPT is from the Office of Pesticide Programs (OPP).

**Incoming:** You mentioned that there are employees detailed there for work on the first 10 chemicals being evaluated under TSCA, but how many of them are there, and how many were from the pesticides office?

**Response:** Currently, there are nine employees from other EPA offices on non-competitive details to OPPT working on a variety of activities, though none of these detailees were brought on to work solely on the first 10 chemicals being evaluated under amended TSCA. Of the nine employees on noncompetitive details to OPPT, one is from OPP.

Hi Robert,

Thanks again for your help – I checked and I think there actually was a little more we were hoping to figure out...

For example, we really were wondering how many FTEs were at OPPT before the new TSCA law vs now; and if there are employees transferred there from the pesticides office, and if so, how many?

You mentioned that there are employees detailed there for work on the first 10 chemicals being evaluated under TSCA, but how many of them are there, and how many were from the pesticides office?

Again the story already went out but we're certainly still interested in how all of this is coming together so I think it would be useful to be able to learn how this is working out.

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Sam Pearson Reporter

Bloomberg BNA

Direct 703.341.3881
Cell Ex. 6 Personal Privacy (PP)
spearson@bna.com

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]

Sent: Thursday, October 26, 2017 1:58 PM
To: Pearson, Sam <<u>spearson@bna.com</u>>
Subject: RE: Press Inquiry about Toxics / TSCA

Thanks, Sam.

Regards, R.

From: Pearson, Sam [mailto:spearson@bna.com]
Sent: Thursday, October 26, 2017 1:48 PM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>; Press < Press@epa.gov>

Subject: RE: Press Inquiry about Toxics / TSCA

Thanks Robert – the story we were doing on this ran yesterday unfortunately but I will pass this along to my colleagues in case we're able to mention the status of these employees in anything upcoming that relates to this issue

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]

Sent: Thursday, October 26, 2017 1:38 PM

To: Pearson, Sam <spearson@bna.com>; Press <Press@epa.gov>

Subject: RE: Press Inquiry about Toxics / TSCA

Sam, for attribution to "an EPA spokersperson," please:

OCSPP has increased the number of FTE's to support Toxic Substances Control Act (TSCA), amended by the 2016 Lautenberg Chemical Safety Act, through voluntary detail positions. Detailees are working on the review of the 10 TSCA chemicals mentioned as well as other TSCA work. It is common practice for EPA to utilize voluntary details to accomplish program work.

From: Pearson, Sam [mailto:spearson@bna.com]

Sent: Friday, October 20, 2017 3:58 PM

To: Press < Press@epa.gov>

Subject: FW: Press Inquiry about Toxics / TSCA

From: Pearson, Sam

Sent: Friday, October 20, 2017 3:15 PM

To: 'daguillard.robert@epa.gov' <daguillard.robert@epa.gov>

**Subject:** Press Inquiry about Toxics / TSCA

#### Hi Robert,

I heard that EPA has transferred staff from the pesticides office to the chemicals office in order to get more done with the TSCA chemicals being reviewed.

Is that the case? Can you tell me anything more about why the EPA made this decision, and how this is helping EPA process the 10 TSCA chemicals currently under review more effectively? What kind of work specifically are these extra staff doing and why is that important for the reviews?

| T | h | а | n | k | s |  |
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# Sam Pearson Reporter

# **Bloomberg BNA**

Direct 703.341.3881
Cell Ex. 6 Personal Privacy (PP) spearson@bna.com

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

Sent: 10/26/2017 8:11:41 PM
To: heather.haddon@wsj.com
CC: Press [Press@epa.gov]

**Subject**: Subject: Press Inquiry about Food Waste

Heather, for attribution to "an EPA spokesperson," please:

Food Maven participated in the Midwest Food Recovery Summit in Des Moines, IA in early September (<a href="https://iwrc.uni.edu/foodrecoverysummit/speakers/bultema">https://iwrc.uni.edu/foodrecoverysummit/speakers/bultema</a>) in the Thursday, 9/7 panel session, Tools and Resources to Promote Recovery and Donation Efforts.

EPA supports a variety of efforts and strategies that reduce the amount of wholesome, nutritious food going to landfills. See our Food Recovery Hierarchy (<a href="https://www.epa.gov/sustainable-management-food/food-recovery-hierarchy">hierarchy</a>).

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
EX. 6 Personal Privacy (PP) (M)

++

From: Haddon, Heather [mailto:heather.haddon@wsj.com]

**Sent:** Thursday, October 26, 2017 2:08 PM **To:** StClair, Christie < StClair.Christie@epa.gov > **Subject:** Press Inquiry about Food Waste

# Hello,

I'm the food retail reporter for the Journal, and am working on a story about a Colorado company that has built a marketplace to sell food waste to restaurants and food service companies. It's called Food Maven. My understanding is that the EPA had the CEO of the company, Patrick Bultema, speak at a recent conference. Looking to confirm and get some detail if so, or if the agency supports this effort more generally. Any response by tomorrow would be most appreciated. I'm at my desk if it would help to discuss.

Thanks, Heather

Heather Haddon Wall Street Journal 312-750-4118 (o)



From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 10/23/2017 4:09:17 PM

**To**: Brown, Matthew [MBrown@ap.org]

CC: Press [Press@epa.gov]
Subject: RE: AP story on TSCA

Matt, for attribution, as usual, to "an EPA spokesperson," please:

**Question 1:** why is EPA evaluating the 10 chemicals under review per TSCA?/what kind of changes to the availability or acceptable uses of these chemicals could result?

**Response 1:** Amendments to the Toxic Substances Control Act (TSCA) required, by December 2016, that EPA select the first 10 chemicals to undergo risk evaluations from the <u>2014 Update to the TSCA Work Plan</u>. If the risk evaluation shows that a chemical substance presents an unreasonable risk, the EPA is required to regulate the chemical substance to the extent necessary so that it no longer presents such risk.

Question 2: what are "legacy" uses of chemicals?

**Response 2:** EPA refers to uses that do not reflect ongoing or prospective manufacturing, processing, or distribution, as "legacy uses."

Question 3: why did the EPA decide to exclude legacy uses from its review?

**Response 3:** EPA's rationale for this interpretation is described in detail in the preamble to "Procedures for Chemical Risk Evaluation Under the Amended Toxic Substances Control Act" – a rule finalized on June 22, 2017: <a href="https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/procedures-chemical-risk-evaluation-under-amended-toxic">https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/procedures-chemical-risk-evaluation-under-amended-toxic</a>.

**Question 4:** firefighters, construction unions and others have raised concerns about the exclusion of legacy uses; how is EPA going to fairly evaluate the risk from these chemicals if it excludes legacy uses? In the same vein, will excluding legacy uses perpetuate the risk of exposure among populations that work with or around these chemicals?

## Response 4:

As a general matter, EPA will address in its risk evaluations those uses for which it is known, intended, or reasonably foreseen that the chemical is being manufactured, processed, or distributed (i.e., the use is prospective or ongoing). However, in a particular risk evaluation, EPA may consider background exposures from legacy use, associated disposal, and legacy disposal as part of an assessment of aggregate exposure or as a tool to evaluate the risk of exposures resulting from non-legacy uses.

It is therefore true that, for asbestos, EPA did not include legacy uses in its TSCA scoping document.

From: Brown, Matthew [mailto:MBrown@ap.org]

Sent: Monday, October 16, 2017 6:08 PM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

Subject: RE: AP story on TSCA

Hi Robert:

Here are the basic questions for which we'd like to get on-camera responses (some are repeats from our prior questions that you have already answered).

- --why is EPA evaluating the 10 chemicals under review per TSCA?/what kind of changes to the availability or acceptable uses of these chemicals could result?
- --what are "legacy" uses of chemicals?
- --why did the EPA decide to exclude legacy uses from its review?
- --firefighters, construction unions and others have raised concerns about the exclusion of legacy uses; how is EPA going to fairly evaluate the risk from these chemicals if it excludes legacy uses? In the same vein, will excluding legacy uses perpetuate the risk of exposure among populations that work with or around these chemicals?

Thanks for the help. Call right away if any of these need clarification. Matt Brown

#### Matthew Brown

**Associated Press Correspondent** 

mbrown@ap.org phone-406 896 1528

mobile - Ex. 6 Personal Privacy (PP)

fax-406 896 8117

From: Brown, Matthew

Sent: Thursday, October 12, 2017 4:47 PM

To: 'Daguillard, Robert' < Daguillard. Robert@epa.gov>

Subject: RE: AP story on TSCA

Thanks, Robert. Appreciate the help.

Was out today working on that story, the video component I've talked about. We're talking to firefighters, and as you may know their union is pushing EPA to include legacy chemicals in its review.

Would be great to get an on on-camera response to some of the concerns they've raised, particularly that the agency's determination leaves firefighters subject to continued exposures without an adequate evaluation of the risks of those exposures.

If that's not possible, we can make note in the piece but we would hope to get at least a statement addressing the issue. Anytime tomorrow on a statement would work or let me know about video so we can nail down arrangements at earliest chance.

(One of the video elements still being worked on by a colleague so story deadline has been getting pushed back.)

Please let me know.

Matt Brown

## Matthew Brown

**Associated Press Correspondent** 

mbrown@ap.org

phone-406 896 1528

mobile - Ex. 6 Personal Privacy (PP)

fax-406 896 8117

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]

**Sent:** Thursday, October 12, 2017 12:31 PM **To:** Brown, Matthew < <u>MBrown@ap.org</u>>

Cc: Press < Press@epa.gov > Subject: RE: AP story on TSCA

Matt, for attribution to "an EPA spokesperson," please:

1. Does the determination on legacy uses apply across all 10 chemicals?

Yes, it applies to all 10 chemicals. EPA's rationale for this interpretation is described in detail in the preamble to "Procedures for Chemical Risk Evaluation Under the Amended Toxic Substances Control Act" – a procedural rule finalized on June 22, 2017. See pages 15-18 of the prepublication copy available on EPA's website here: <a href="https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/procedures-chemical-risk-evaluation-under-amended-toxic">https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/procedures-chemical-risk-evaluation-under-amended-toxic</a>. Generally, EPA interprets section 6 of TSCA to require risk evaluations and any corresponding risk management to focus on uses for which manufacturing, processing, or distribution in commerce is intended, known to be occurring, or reasonably foreseen to occur (i.e., is prospective or on-going).

2. Where is the line on "distribution in commerce"? If it was a previously distributed product (for which production is continuing) is that considered legacy?

No, because if production is ongoing, the use is not legacy.

As stated above: Generally, EPA interprets section 6 of TSCA to require risk evaluations and any corresponding risk management to focus on uses for which manufacturing, processing, or distribution in commerce is intended, known to be occurring, or reasonably foreseen to occur (i.e., is prospective or <u>on-going</u>).

From: Brown, Matthew [mailto:MBrown@ap.org]

Sent: Tuesday, October 10, 2017 2:54 PM

To: Daguillard, Robert < Daguillard.Robert@epa.gov >

Subject: RE: AP story on TSCA

Fair enough. Talk to you then.

Matt Brown

#### Matthew Brown

Associated Press Correspondent mbrown@ap.org
phone-406 896 1528
mobile-[Ex.6 Personal Privacy (PP)]
fax-406 896 8117

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]

**Sent:** Tuesday, October 10, 2017 12:54 PM **To:** Brown, Matthew < <u>MBrown@ap.org</u>>

Subject: RE: AP story on TSCA

Thanks, Matt. Close of business might be ambitious, to be honest (keep in mind yesterday was a federal holiday).

Could we touch base tomorrow AM (your time or mine)? If nothing else, I expect I'd have a better idea of where things stand.

Cheers, R.

From: Brown, Matthew [mailto:MBrown@ap.org]

Sent: Tuesday, October 10, 2017 2:48 PM

To: Daguillard, Robert < Daguillard.Robert@epa.gov >

Subject: RE: AP story on TSCA

Thanks Robert. We're hoping to get answers as soon as possible, close of business today if possible, but deadline for on-

camera intvw more flexible.

Matt Brown

#### Matthew Brown

fax-406 896 8117

Associated Press Correspondent mbrown@ap.org phone-406 896 1528 mobile Ex.6 Personal Privacy (PP)

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]

**Sent:** Tuesday, October 10, 2017 12:47 PM **To:** Brown, Matthew < <u>MBrown@ap.org</u>>

Subject: RE: AP story on TSCA

Matt, I'm now back in the office and will follow up for you. What's your firm deadline, please?

From: Brown, Matthew [mailto:MBrown@ap.org]

Sent: Tuesday, October 10, 2017 2:39 PM

To: Jones, Enesta < Jones. Enesta@epa.gov >; Press < Press@epa.gov >

Subject: RE: AP story on TSCA

Hi Enesta-Following up on our request for some more information on TSCA reviews. Please let me know.

Matt Brown

#### Matthew Brown

Associated Press Correspondent mbrown@ap.org phone-406 896 1528 mobile [Ex.6 Personal Privacy (PP)] fax-406 896 8117

From: Jones, Enesta [mailto:Jones.Enesta@epa.gov]

**Sent:** Friday, October 06, 2017 3:08 PM **To:** Brown, Matthew <MBrown@ap.org>

Subject: Re: AP story on TSCA

Hey Matthew, what's your firm deadline? Monday is a federal holiday.

On Oct 6, 2017, at 5:06 PM, Brown, Matthew < MBrown@ap.org > wrote:

Hi Enesta-

I'm hoping to follow up on some assistance that you provided last month on a TSCA story we've been working on.

Specifically, I was asking about "legacy" uses of the chemicals being evaluated by the agency. The agency's scoping material has made clear that legacy uses won't be considered but I want to be sure I'm not misinterpreting that. A couple specifics:

- -does the determination on legacy uses apply across all 10 chemicals?
- -where is the line on "distribution in commerce"? If it was a previously distributed product (for which production is continuing) is that considered legacy?

Please give me a call or let me know if any of that needs clarification.

We're looking to move our story next week so an answer at earliest chance would be most appreciated. Also, we're pursuing a companion video piece for this. Is anyone from the EPA available for a short, on-camera interview on the topic? We would come to you, of course, and could be flexible on timing as needed.

Thanks for your time and all help.

Matt Brown

<image002.jpg>
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From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 10/25/2017 3:35:08 PM

**To**: Brown, Matthew [MBrown@ap.org]

CC: Press [Press@epa.gov]
Subject: RE: AP story on TSCA

Hey Matt,

Our messages almost crossed. Can you send a link to your story?

For attribution to "an EPA spokesperson," please:

## Follow-up Questions:

**Inquiry 1:** We're seeking a more direct answer to this question: Will excluding legacy uses perpetuate the risk of exposure among populations that work with or around these legacy chemicals?

**Response:** EPA's interpretation of the amended TSCA is to evaluate those uses for which the substance currently or prospectively is being manufactured (including imported), processed, or distributed.

Other information: For many legacy uses there are means, other than TSCA, to provide protections or limit exposure. For instance, the Occupational Safety and Health Administration requires employees to have specific training and personal protective equipment when handling asbestos in the workplace. Other regulations address removal, disposal and in place management of asbestos. The Asbestos Hazard Emergency Response Act (AHERA), requires all persons doing asbestos inspections and abatement work in schools, public buildings, certain multi-family residences and all commercial buildings to be properly trained and accredited. AHERA also requires school districts to properly manage asbestos-containing building materials in place and to repair or remove friable asbestos. In addition, under the Clean Air Act, the Asbestos National Emission Standard for Hazardous Air Pollutants, requires certain demolition, renovation, and disposal work practices at regulated sites. Finally, for many emergency as well as non-emergency situations, protective equipment – such as NIOSH-approved respirators – can be protective against chemical exposure.

Additionally, EPA produces public outreach information to help the public minimize exposures to asbestos and other chemicals. See asbestos as an example: <a href="https://www.epa.gov/asbestos/protect-your-family-asbestos-contaminated-vermiculite-insulation">https://www.epa.gov/asbestos/protect-your-family-asbestos-contaminated-vermiculite-insulation</a>.

**Inquiry 2:** Please explain this: EPA "may consider background exposures from legacy use....to evaluate the risk of exposures resulting from non-legacy uses"

I read that to say the agency may (or may not) consider if background exposures from legacy uses contribute to any risks resulting from exposure within the chlor-alkali industry. In other words, EPA wouldn't consider exposure from legacy uses but would consider exposure from legacy+current uses. Is that correct? Also, when will that be decided ("EPA may consider")?

**Response:** In certain situations, it may be appropriate to include background exposure from legacy uses when evaluating ongoing use. If something is a current use, it would not be considered a legacy use.

From: Brown, Matthew [mailto:MBrown@ap.org] Sent: Wednesday, October 25, 2017 11:30 AM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>; Press < Press@epa.gov>

Subject: RE: AP story on TSCA

Hi Robert-

Our TSCA story is live. Still hoping to get clarification on what it means that EPA "may consider background exposures from legacy use" in the future...we would really like to include that in story but need to understand first. Also, role of Nancy Beck, Liz Bowman in this process? And can we talk with either of them?

Thanks much-

Matt Brown

#### Matthew Brown

Associated Press Correspondent mbrown@ap.org phone-406 896 1528 mobile [Ex. 6 Personal Privacy (PP)] fax-406 896 8117

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]

**Sent:** Monday, October 23, 2017 2:49 PM **To:** Brown, Matthew < <u>MBrown@ap.org</u>>

Subject: RE: AP story on TSCA

Matt, it doesn't look as though we'll get back to you by COB. Would tomorrow or Wednesday work?

Thanks, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

From: Daguillard, Robert

**Sent:** Monday, October 23, 2017 3:42 PM **To:** 'Brown, Matthew' < <u>MBrown@ap.org</u>>

Subject: RE: AP story on TSCA

Matt, we're waiting for a response to your follow-up questions, but just know you can attribute the upcoming response, as well as that your received today, to Jahan Wilcox, EPA spokesman.

Cheers, R.

From: Brown, Matthew [mailto:MBrown@ap.org]
Sent: Monday, October 23, 2017 12:49 PM

To: Daguillard, Robert < Daguillard.Robert@epa.gov>

**Cc:** Press < <u>Press@epa.gov</u>> **Subject:** RE: AP story on TSCA

One more Robert: In light of Times story over the weekend we'd like to detail what role Nancy Beck and Liz Bowman had in the crafting of final rule on TSCA scope. Can we talk directly with them? If not, can you tell me what role they played? Matt Brown

From: Brown, Matthew

Sent: Monday, October 23, 2017 10:35 AM

To: 'Daguillard, Robert' < Daguillard.Robert@epa.gov>

Cc: Press < Press@epa.gov > Subject: RE: AP story on TSCA

Thanks for these, Robert.

A follow up to response number 4:

"As a general matter, EPA will address in its risk evaluations those uses for which it is known, intended, or reasonably foreseen that the chemical is being manufactured, processed, or distributed (i.e., the use is prospective or ongoing). However, in a particular risk evaluation, EPA may consider background exposures from legacy use, associated disposal, and legacy disposal as part of an assessment of aggregate exposure or as a tool to evaluate the risk of exposures resulting from non-legacy uses."

- --We're seeking a more direct answer to this question: Will excluding legacy uses perpetuate the risk of exposure among populations that work with or around these legacy chemicals?
- --Please explain this: EPA "may consider background exposures from legacy use....to evaluate the risk of exposures resulting from non-legacy uses"

I read that to say the agency may (or may not) consider if background exposures from legacy uses contribute to any risks resulting from exposure within the chlor-alkali industry. In other words, EPA wouldn't consider exposure from legacy uses but would consider exposure from legacy+current uses. Is that correct? Also, when will that be decided ("EPA may consider")?

We need a response by close of business.

Thanks much-Matt Brown

#### Matthew Brown

fax-406 896 8117

Associated Press Correspondent mbrown@ap.org phone-406 896 1528 mobile Ex.6 Personal Privacy (PP)

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]

**Sent:** Monday, October 23, 2017 10:09 AM **To:** Brown, Matthew < MBrown@ap.org >

Cc: Press < Press@epa.gov > Subject: RE: AP story on TSCA

Matt, for attribution, as usual, to "an EPA spokesperson," please:

**Question 1:** why is EPA evaluating the 10 chemicals under review per TSCA?/what kind of changes to the availability or acceptable uses of these chemicals could result?

**Response 1:** Amendments to the Toxic Substances Control Act (TSCA) required, by December 2016, that EPA select the first 10 chemicals to undergo risk evaluations from the <u>2014 Update to the TSCA Work Plan</u>. If the risk evaluation shows that a chemical substance presents an unreasonable risk, the EPA is required to regulate the chemical substance to the extent necessary so that it no longer presents such risk.

Question 2: what are "legacy" uses of chemicals?

**Response 2:** EPA refers to uses that do not reflect ongoing or prospective manufacturing, processing, or distribution, as "legacy uses."

Question 3: why did the EPA decide to exclude legacy uses from its review?

**Response 3:** EPA's rationale for this interpretation is described in detail in the preamble to "Procedures for Chemical Risk Evaluation Under the Amended Toxic Substances Control Act" – a rule finalized on June 22, 2017: <a href="https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/procedures-chemical-risk-evaluation-under-amended-toxic">https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/procedures-chemical-risk-evaluation-under-amended-toxic</a>.

**Question 4:** firefighters, construction unions and others have raised concerns about the exclusion of legacy uses; how is EPA going to fairly evaluate the risk from these chemicals if it excludes legacy uses? In the same vein, will excluding legacy uses perpetuate the risk of exposure among populations that work with or around these chemicals?

#### Response 4:

As a general matter, EPA will address in its risk evaluations those uses for which it is known, intended, or reasonably foreseen that the chemical is being manufactured, processed, or distributed (i.e., the use is prospective or ongoing). However, in a particular risk evaluation, EPA may consider background exposures from legacy use, associated disposal, and legacy disposal as part of an assessment of aggregate exposure or as a tool to evaluate the risk of exposures resulting from non-legacy uses.

It is therefore true that, for asbestos, EPA did not include legacy uses in its TSCA scoping document.

From: Brown, Matthew [mailto:MBrown@ap.org]

**Sent:** Monday, October 16, 2017 6:08 PM

To: Daguillard, Robert < Daguillard.Robert@epa.gov>

Subject: RE: AP story on TSCA

#### Hi Robert:

Here are the basic questions for which we'd like to get on-camera responses (some are repeats from our prior questions that you have already answered).

- --why is EPA evaluating the 10 chemicals under review per TSCA?/what kind of changes to the availability or acceptable uses of these chemicals could result?
- --what are "legacy" uses of chemicals?
- --why did the EPA decide to exclude legacy uses from its review?
- --firefighters, construction unions and others have raised concerns about the exclusion of legacy uses; how is EPA going to fairly evaluate the risk from these chemicals if it excludes legacy uses? In the same vein, will excluding legacy uses perpetuate the risk of exposure among populations that work with or around these chemicals?

Thanks for the help. Call right away if any of these need clarification. Matt Brown

#### Matthew Brown

Associated Press Correspondent mbrown@ap.org phone-406 896 1528 mobile [Ex. 6 Personal Privacy (PP)] fax-406 896 8117

From: Brown, Matthew

Sent: Thursday, October 12, 2017 4:47 PM

To: 'Daguillard, Robert' < Daguillard. Robert@epa.gov>

Subject: RE: AP story on TSCA

Thanks, Robert. Appreciate the help.

Was out today working on that story, the video component I've talked about. We're talking to firefighters, and as you may know their union is pushing EPA to include legacy chemicals in its review.

Would be great to get an on on-camera response to some of the concerns they've raised, particularly that the agency's determination leaves firefighters subject to continued exposures without an adequate evaluation of the risks of those exposures.

If that's not possible, we can make note in the piece but we would hope to get at least a statement addressing the issue. Anytime tomorrow on a statement would work or let me know about video so we can nail down arrangements at earliest chance.

(One of the video elements still being worked on by a colleague so story deadline has been getting pushed back.)

Please let me know.

Matt Brown

## Matthew Brown

Associated Press Correspondent mbrown@ap.org phone-406 896 1528 mobile Ex. © Personal Privacy (PP)

fax-406 896 8117

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]

**Sent:** Thursday, October 12, 2017 12:31 PM **To:** Brown, Matthew < <u>MBrown@ap.org</u>>

Cc: Press < Press@epa.gov > Subject: RE: AP story on TSCA

Matt, for attribution to "an EPA spokesperson," please:

1. Does the determination on legacy uses apply across all 10 chemicals?

Yes, it applies to all 10 chemicals. EPA's rationale for this interpretation is described in detail in the preamble to "Procedures for Chemical Risk Evaluation Under the Amended Toxic Substances Control Act" – a procedural rule finalized on June 22, 2017. See pages 15-18 of the prepublication copy available on EPA's website here: <a href="https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/procedures-chemical-risk-evaluation-under-tsca/procedures-tsca/procedures-tsca/procedures-

<u>amended-toxic</u>. Generally, EPA interprets section 6 of TSCA to require risk evaluations and any corresponding risk management to focus on uses for which manufacturing, processing, or distribution in commerce is intended, known to be occurring, or reasonably foreseen to occur (i.e., is prospective or on-going).

2. Where is the line on "distribution in commerce"? If it was a previously distributed product (for which production is continuing) is that considered legacy?

No, because if production is ongoing, the use is not legacy.

As stated above: Generally, EPA interprets section 6 of TSCA to require risk evaluations and any corresponding risk management to focus on uses for which manufacturing, processing, or distribution in commerce is intended, known to be occurring, or reasonably foreseen to occur (i.e., is prospective or <u>on-going</u>).

From: Brown, Matthew [mailto:MBrown@ap.org]

Sent: Tuesday, October 10, 2017 2:54 PM

To: Daguillard, Robert < Daguillard.Robert@epa.gov >

Subject: RE: AP story on TSCA

Fair enough. Talk to you then.

Matt Brown

#### Matthew Brown

Associated Press Correspondent mbrown@ap.org phone-406 896 1528 mobile-[Ex.6 Personal Privacy (PP)] fax-406 896 8117

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]

**Sent:** Tuesday, October 10, 2017 12:54 PM **To:** Brown, Matthew < MBrown@ap.org >

Subject: RE: AP story on TSCA

Thanks, Matt. Close of business might be ambitious, to be honest (keep in mind yesterday was a federal holiday).

Could we touch base tomorrow AM (your time or mine)? If nothing else, I expect I'd have a better idea of where things stand.

Cheers, R.

From: Brown, Matthew [mailto:MBrown@ap.org]

Sent: Tuesday, October 10, 2017 2:48 PM

To: Daguillard, Robert < Daguillard.Robert@epa.gov >

Subject: RE: AP story on TSCA

Thanks Robert. We're hoping to get answers as soon as possible, close of business today if possible, but deadline for oncamera intvw more flexible.

Matt Brown

Matthew Brown

**Associated Press Correspondent** 

mbrown@ap.org

phone-406 896 1528

mobile [Ex. 6 Personal Privacy (PP)] fax-406 896 8117

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]

**Sent:** Tuesday, October 10, 2017 12:47 PM **To:** Brown, Matthew < MBrown@ap.org >

Subject: RE: AP story on TSCA

Matt, I'm now back in the office and will follow up for you. What's your firm deadline, please?

From: Brown, Matthew [mailto:MBrown@ap.org]

Sent: Tuesday, October 10, 2017 2:39 PM

To: Jones, Enesta < Jones. Enesta@epa.gov >; Press < Press@epa.gov >

Subject: RE: AP story on TSCA

Hi Enesta-Following up on our request for some more information on TSCA reviews. Please let me know.

Matt Brown

#### Matthew Brown

Associated Press Correspondent

mbrown@ap.org

phone-406 896 1528 mobile Ex. 6 Personal Privacy (PP)

fax-406 896 8117

From: Jones, Enesta [mailto:Jones.Enesta@epa.gov]

**Sent:** Friday, October 06, 2017 3:08 PM **To:** Brown, Matthew <MBrown@ap.org>

Subject: Re: AP story on TSCA

Hey Matthew, what's your firm deadline? Monday is a federal holiday.

On Oct 6, 2017, at 5:06 PM, Brown, Matthew < MBrown@ap.org> wrote:

#### Hi Enesta-

I'm hoping to follow up on some assistance that you provided last month on a TSCA story we've been working on.

Specifically, I was asking about "legacy" uses of the chemicals being evaluated by the agency. The agency's scoping material has made clear that legacy uses won't be considered but I want to be sure I'm not misinterpreting that. A couple specifics:

- -does the determination on legacy uses apply across all 10 chemicals?
- -where is the line on "distribution in commerce"? If it was a previously distributed product (for which production is continuing) is that considered legacy?

Please give me a call or let me know if any of that needs clarification.

We're looking to move our story next week so an answer at earliest chance would be most appreciated. Also, we're pursuing a companion video piece for this. Is anyone from the EPA available for a short, on-camera interview on the topic? We would come to you, of course, and could be flexible on timing as needed.

Thanks for your time and all help.

Matt Brown

<image002.jpg>
Matthew Brown
Associated Press Correspondent
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From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 10/25/2017 2:56:55 PM

**To**: Richard Trenholm [richard.trenholm@cbsinteractive.com]

**CC**: Press [Press@epa.gov]

**Subject**: RE: Press query - dangerous chemicals review

Richard, for attribution to "an EPA spokesperson," please:

EPA's rationale for its decision to not to include legacy uses in its review is described in detail in the preamble to "Procedures for Chemical Risk Evaluation Under the Amended Toxic Substances Control Act" – a rule finalized on June 22, 2017: <a href="https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/procedures-chemical-risk-evaluation-under-amended-toxic">https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/procedures-chemical-risk-evaluation-under-amended-toxic</a>

As a general matter, EPA will address in its risk evaluations those uses for which it is known, intended, or reasonably foreseen that the chemical is being manufactured, processed, or distributed (i.e., the use is prospective or ongoing). However, in a particular risk evaluation, EPA may consider background exposures from legacy use, associated disposal, and legacy disposal as part of an assessment of aggregate exposure or as a tool to evaluate the risk of exposures resulting from non-legacy uses.

Regards, R.

**From:** Richard Trenholm [mailto:richard.trenholm@cbsinteractive.com]

Sent: Wednesday, October 25, 2017 7:43 AM

To: Jones, Enesta < Jones. Enesta@epa.gov>; Lynn, Tricia < lynn.tricia@epa.gov>; Daguillard, Robert

<Daguillard.Robert@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>

Subject: Press query - dangerous chemicals review

Hi, I'm writing a piece for CNET.com (a CBS website with over 200 million readers wordlwide) about the congressionally-mandated review of some of dangerous chemicals including asbestos etc. Do you have any comment on reports that the review will now cover only new products rather than reviewing dangerous chemicals already in use? Can you confirm reports these limits are imposed by the new administration?

My deadline is very tight so I would love to hear from you ASAP.

Thanks!

#### Richard

# Richard Trenholm Senior Editor, CNET CBS Interactive, The Bower, 207-211 Old Street, London EC1V 9NR 020 7021 1305

@rich\_trenholm

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 11/7/2017 9:29:50 PM

**To:** Tom Philpott [tphilpott@motherjones.com]

**CC**: Press [Press@epa.gov]

**Subject**: RE: interview request: dicamba registrations

Hey Tom,

Same attribution as yesterday, please:

EPA has registered three products approved for over-the-top use on dicamba-tolerant soybean and dicamba-tolerant cotton:

Monsanto - XtendiMax - EPA No. 524-617 (Expires 09 Nov 2018) BASF - Engenia - EPA No. 7969-345 (Expires 20 Dec 2018) Dupont - FeXapan - EPA No. 352-913 (Expires 09 Nov 2018)

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
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Ex. 6 Personal Privacy (PP) (M)

From: Tom Philpott [mailto:tphilpott@motherjones.com]

Sent: Tuesday, November 07, 2017 8:27 AM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

Cc: Press < Press@epa.gov>

Subject: Re: interview request: dicamba registrations

Thanks, Robert!

Can you tell me if EPA has registered any other over-the-top dicamba formulations besides Monsanto's Vaporgrip and BASF's Engenia?

From: "Daguillard, Robert" < Daguillard. Robert@epa.gov>

**Date:** Monday, November 6, 2017 at 5:12 PM **To:** Tom Philpott <tphilpott@motherjones.com>

Cc: Press < Press@epa.gov>

Subject: RE: interview request: dicamba registrations

Tom, for attribution to "an EPA spokesperson," please:

We continue to listen to input from stakeholders and will closely monitor the success of the current changes to help inform our decision whether to allow the continued "over the top" use of dicamba beyond the 2018 growing season.

The registrations will automatically expire on November 9, 2018, unless EPA determines before that date that off-site incidents are not occurring at unacceptable frequencies or levels.

With advice from state and industry experts and university crop scientists, we will use a weight-of-evidence approach to evaluate whether the new restrictions are successfully preventing damage to neighboring crops and other sensitive plants. Our goal is to make a decision next year in time for growers to make informed seed purchase decisions for the next planting season.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)

EX. 6 Personal Privacy (PP) (M)

From: Tom Philpott [mailto:tphilpott@motherjones.com]

Sent: Monday, November 06, 2017 4:21 PM

**To:** Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u>> **Subject:** Re: interview request: dicamba registrations

Hi Robert.

Thanks for getting back. I'm on a tight deadline, because I'm updating a piece just before it's going to print, for the next issue of Mother Jones. I'd love to get commentary ASAP.

Thanks, Tom

From: "Daguillard, Robert" < Daguillard. Robert@epa.gov>

**To:** Tom Philpott <<u>tphilpott@motheriones.com</u>> **Subject:** FW: interview request: dicamba registrations

Good afternoon Tom,

My colleague Reuben Baris forwarded me your inquiry. What's your deadline and when are you hoping to publish your story, please?

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Tom Philpott [mailto:tphilpott@motherjones.com]

**Sent:** Monday, November 06, 2017 4:07 PM **To:** Baris, Reuben < <u>Baris, Reuben@epa.gov</u>> **Subject:** interview request: dicamba registrations

Dear Mr. Reuben,

I'd love to get some direction from you on the EPA registrations for so-called low-volatility dicamba formulations from Monsanto and BASF. Specifically, what criteria EPA will be using to decide whether to maintain the registrations after next year. Any time to talk this afternoon or tomorrow?

Thanks,

Tom

Tom Philpott

Food and agriculture correspondent, Mother Jones

Ex. 6 Personal Privacy (PP)

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 11/2/2017 2:55:59 PM

To: Juliette MICHEL [Juliette.MICHEL@afp.com]

CC: Press [Press@epa.gov]
Subject: Re: Dicamba Labeling

Juliette, for attribution to "an EPA spokesperson," please:

We continue to listen to input from stakeholders and will closely monitor the success of the current changes to help inform our decision whether to allow the continued "over the top" use of dicamba beyond the 2018 growing season. The registrations will automatically expire on November 9, 2018, unless EPA determines before that date that off-site incidents are not occurring at unacceptable frequencies or levels.

With advice from state and industry experts and university crop scientists, we will use a weight-of-evidence approach to evaluate whether the new restrictions are successfully preventing damage to neighboring crops and other sensitive plants. Our goal is to make a decision next year in time for growers to make informed seed purchase decisions for the next planting season

Bon travail, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)

EX. 6 Personal Privacy (PP) (M)

**To:** Tom Philpott[tphilpott@motherjones.com]

**Cc:** Press[Press@epa.gov]

From: Daguillard, Robert JOEXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BBE9682B940C4F2C90732E4D37355DD4-DAGUILLARD,]

**Sent:** Mon 11/6/2017 11:12:38 PM (UTC)

Subject: RE: interview request: dicamba registrations

Tom, for attribution to "an EPA spokesperson," please:

We continue to listen to input from stakeholders and will closely monitor the success of the current changes to help inform our decision whether to allow the continued "over the top" use of dicamba beyond the 2018 growing season. The registrations will automatically expire on November 9, 2018, unless EPA determines before that date that off-site incidents are not occurring at unacceptable frequencies or levels.

With advice from state and industry experts and university crop scientists, we will use a weight-of-evidence approach to evaluate whether the new restrictions are successfully preventing damage to neighboring crops and other sensitive plants. Our goal is to make a decision next year in time for growers to make informed seed purchase decisions for the next planting season.

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Ex. 6 Personal Privacy (PP) (M)

From: Tom Philpott [mailto:tphilpott@motherjones.com]

Sent: Monday, November 06, 2017 4:21 PM

**To:** Daguillard, Robert < Daguillard. Robert@epa.gov> **Subject:** Re: interview request: dicamba registrations

Hi Robert,

Thanks for getting back. I'm on a tight deadline, because I'm updating a piece just before it's going to print, for the next issue of Mother Jones. I'd love to get commentary ASAP.

Thanks, Tom

From: "Daguillard, Robert" < Daguillard. Robert@epa.gov>

Date: Monday, November 6, 2017 at 3:19 PM

To: Tom Philpott < tphilpott@motherjones.com >

Subject: FW: interview request: dicamba registrations

## Good afternoon Tom,

My colleague Reuben Baris forwarded me your inquiry. What's your deadline and when are you hoping to publish your story, please?

# Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

From: Tom Philpott [mailto:tphilpott@motherjones.com]

**Sent:** Monday, November 06, 2017 4:07 PM **To:** Baris, Reuben < Baris.Reuben@epa.gov > **Subject:** interview request: dicamba registrations

Dear Mr. Reuben,

I'd love to get some direction from you on the EPA registrations for so-called low-volatility dicamba formulations from Monsanto and BASF. Specifically, what criteria EPA will be using to decide whether to maintain the registrations after next year. Any time to talk this afternoon or tomorrow?

Thanks, Tom Tom Philpott

Food and agriculture correspondent, Mother Jones

Ex. 6 Personal Privacy (PP)

CC:

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

 Sent:
 10/19/2017 6:37:15 PM

 To:
 Titus, Rhea [RTitus@wusa9.com]

Press [Press@epa.gov]

**Subject**: FW: WUSA9 NEWS INQUIRY: PET SPOT ON PRODUCTS

Rhea, for attribution to "an EPA spokesperson," please:

Yes, some insecticides (regardless of the manufacturer) work by affecting the nervous system of *the insect* and therefore, use not according to label directions such as applying too much to a pet can result effectively in an overdose, which could affect the pet's nervous system, causing tremors as well as other effects. When used according to label instructions and precautions, pet products can be safely used and be very effective, but when misapplied or not used according to directions, pets may be unnecessarily exposed to pesticides. EPA strongly encourages consumers to follow label directions to minimize potential effects to them or their pets. Packages are labeled for cats, dogs, and size of animals to minimize any effects and ensure the safety of these products. Labels describe how products should be used legally by consumers.

From: Titus, Rhea [mailto:RTitus@wusa9.com]
Sent: Monday, October 16, 2017 3:19 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>

Subject: RE: WUSA9 NEWS INQUIRY: PET SPOT ON PRODUCTS

Hi Robert, thanks for getting back to me with the statement, can you confirm that some Sergeant's flea products can cause tremors as a side effect if improper dosage is taken or should it not be used on kitten but only cats?

Thanks

RHEA TITUS

WUSA9 News Researcher

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rtitus@wusa9.com | P. 202.895.5507 |

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]

**Sent:** Tuesday, October 10, 2017 9:21 AM **To:** Titus, Rhea <<u>RTitus@wusa9.com</u>>

Cc: Press < Press@epa.gov>

Subject: RE: WUSA9 NEWS INQUIRY: PET SPOT ON PRODUCTS

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Rhea, for attribution to "an EPA spokesperson," please:

# RESPONSE

- 1. Number of incidents, ideally involving all brands and products, at a minimum involving Sergeant's; and
- 2. A list of products taken off the markets, ideally by all companies and brands involved, at a minimum by Sergeant's.

# #1:

In 2016, there were 20,942 incidents involving Spot-On, the majority of which were minor effects such as skin and eye irritation that do not require veterinary care. Although our goal would be to have no incidents whatsoever, it is very important to put these numbers in context.

- There are 176 pesticide products registered, a mix of dog and cat products, with <u>hundreds of millions</u> of doses of spot on products sold each year.
- EPA changed product labels to make them clearer and to reduce the misuse, and the number of pet incidents has decreased by half since 2008 and continues to decline each year.
- As mentioned above, the majority of reported incidents include only effects such as skin and eye irritation that do not require veterinary care.

# #2:

EPA did not remove products from the market. Registrants voluntarily remove (or cancel) their products for a variety of reasons and EPA does not maintain a list of those products. You can use the NPRO portal to EPA's Pesticide Product Information System to look up the regulatory status (i.e., active or canceled) of any registered pesticide at: <a href="http://npic.orst.edu/NPRO/">http://npic.orst.edu/NPRO/</a>

Thanks, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

From: Titus, Rhea [mailto:RTitus@wusa9.com]
Sent: Monday, October 09, 2017 7:13 PM
To: Daguillard, Robert < Daguillard, Robert@epa.gov >
Subject: WUSA9 NEWS INQUIRY: PET SPOT ON PRODUCTS

Importance: High

Hi Robert, this is Rhea at WUSA9 News in DC. Do you have an update on my the question I asked or an ETA of when you'll have an answer? I did ask a few weeks ago now and I really need an answer ASAP for the story we are working on.

Let me know if you need me to email you the two questions .

Thanks

**RHEA TITUS** WUSA9 News Researcher

\*\*\*\*\* 4100 Wisconsin Ave NW, Washington, DC 2001 <a href="mailto:ritus@wusa9.com">ritus@wusa9.com</a> | P. 202.895.5507 |

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 10/18/2017 8:05:04 PM

To: Julie Lotz Ex. 6 Personal Privacy (PP)

**CC**: Press [Press@epa.gov]

Subject: RE: Documentary - French TV - urgent

Julie, for attribution to EPA or to "an EPA spokesperson," please:

A. No tolerance (maximum legal residue level) has been established for glyphosate in dairy milk in the United States. There is a tolerance of 20 ppm for glyphosate in soybean seed, which would also apply to soymilk. Under the Federal Food, Drug and Cosmetic Act, EPA establishes tolerances for commodities when residues can be expected as a result of legal pesticide use.

For all U.S glyphosate tolerances please see <a href="https://www.ecfr.gov/cgibin/retrieveECFR?gp=1&SID=bd5b01521a6bd6ba075aa5494854c72a&ty=HTML&h=L&mc=true&r=SECTION&n=se40.26.">https://www.ecfr.gov/cgibin/retrieveECFR?gp=1&SID=bd5b01521a6bd6ba075aa5494854c72a&ty=HTML&h=L&mc=true&r=SECTION&n=se40.26.</a>
180 1364.

More information on EPA tolerances can be found at <a href="https://www.epa.gov/pesticide-tolerances/about-pesticide-tolerances/a

Bon travail, R.

Robert Daguillard
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Ex. 6 Personal Privacy (PP) (M)

From: Julie Lotz [mailto Ex. 6 Personal Privacy (PP)
Sent: Wednesday, October 18, 2017 7:12 AM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

Subject: Documentary - French TV - urgent

Hi,

My name is Julie Lotz. I am a French journalist and I work for French main TV channel France 5.

For a documentary I am about to finish on soy, I urgently need this information: in the US, do you have a limite of glyphosate residus in milk? If yes, what is it?

I need this information today as soon as possible.

Thank you very much,

Best regards,

Julie Lotz - Journaliste Réalisatrice

Tel: +33 6 82 55 33 93

If you call from the US: ±1 347 467 1017

<u>LinkedIn</u>: <u>https://www.linkedin.com/in/lotzjulie</u>

<u>Vimeo</u>: <u>vimeo.com/julielotz</u>

<u>Twitter</u>: @LotzJulie

From: Jones, Enesta [Jones.Enesta@epa.gov]

**Sent**: 10/18/2017 6:53:38 PM

To: Catherine Clabby Ex. 6 Personal Privacy (PP)

**CC**: Press [Press@epa.gov]

**Subject**: Re: Any word yet on Chemours' investigation

Hi Catherine, the responses to your follow-up questions are below. Please attribute them to an agency spokesperson.

1. You heard Dr. Strynar say that he took a more difficult path to characterize the unknown PFAS compounds in the Cape Fear River. That's because if he had obtained information that DuPont had submitted to EPA regarding what it was producing, he could have faced limitations on what he could have made public.

Is there any effort afoot within the agency to change that practice so that EPA scientists can obtain information filed with the agency when studying emerging contaminants without facing limitations on public disclosure about what chemicals are being released by manufacturing facilities? PFAS were of enough concern that EPA required sampling for them as part of the 3rd unregulated contaminant monitoring rule. (See list of compounds in screen grab below.)

Our process for protection of and access to materials claimed as confidential business information (CBI) is consistent with the framework laid out under the Toxic Substances Control Act. Provisions are in place for federal employees to access CBI if needed for the required performance of their jobs.

2. Will EPA continue to support Dr. Strynar's efforts to look for and identify unregulated chemicals released by industrial sites during the Trump Administration?

Yes. One of Administrator Pruitt's priorities for EPA is to provide support to the states. The work EPA is currently doing on GenX in NC is at the request of NC DEQ.

| Perfluorinated Compounds: EPA Method 537            |      |   |  |  |  |  |
|---|------|---|--|--|--|--|
| perfluorooctanesulfonic<br>acid (PFOS)<br>1763-23-1 | 0.04 | Surfactant or emulsifier; used in fire-fighting foam, circuit board etching acids, alkaline cleaners, floor polish, and as a pesticide active ingredient for insect balt traps; U.S. manufacture of PFOS phased out in 2002; however, PFOS still generated incidentally |  |  |  |  |
| perfluorooctanoic acid<br>(PFOA)<br>335-67-1        | 0.02 | Perfluorinated aliphatic carboxylic acid; used for its emulsifier and surfactant properties in or as fluoropolymers (such as Teflon), fire-fighting foams, cleaners, cosmetics, greases and lubricants, paints, polishes, adhesives and photographic films              |  |  |  |  |
| perfluorononanoic acid<br>(PFNA)<br>375-95-1        | 0.02 | Manmade chemical; used in products to make them stain, grease, heat and water resistant   |  |  |  |  |
| perfluorohexanesulfonic<br>acid (PFHxS)<br>355-46-4 | 0.03 | Manmade chemical; used in products to make them stain, grease, heat and water resistant   |  |  |  |  |
| perfluoroheptanoic acid<br>(PFHpA)<br>375-85-9      | 0.01 | Manmade chemical; used in products to make them stain, grease, heat and water resistant   |  |  |  |  |
| perfluorobutanesulfonic<br>acid (PFBS)<br>375-73-5  | 0.09 | Manmade chemical; used in products to make them stain, grease, heat and water resistant   |  |  |  |  |

On Oct 17, 2017, at 12:23 PM, Catherine Clabby **Ex. 6 Personal Privacy (PP)** wrote:

Thank you Enesta. I'm hoping I'm on the press release list if and when the EPA does make an announcement on this matter or anything else related to PFAS contamination in North Carolina and our region.

Thank you again for your swift help.

Cathy

Catherine Clabby I <u>Journalist</u> 919.423.6163 @cathyclabby

On Oct 17, 2017, at 12:20 PM, Jones, Enesta < Jones. Enesta@epa.gov > wrote:

Hi Catherine, attributable to an agency spokesperson:

No new information at this time.

On Oct 17, 2017, at 9:40 AM, Catherine Clabby **Ex. 6 Personal Privacy (PP)** wrote:

Hi Ernesta. Is there any news yet regarding the Chemours investigation we've corresponded about before? Is it finished? Likely to be finished soon?

If done, what are the results?

My deadline is Wednesday this week.

Best wishes, Cathy Clabby

On Sep 7, 2017, at 7:18 PM, Jones, Enesta < Jones. Enesta@epa.gov > wrote:

Hi Catherine, for attribution to an EPA spokesperson:

The investigation is still ongoing. It's EPA policy not to discuss ongoing investigations.

From: Catherine Clabby [mailto: Ex. 6 Personal Privacy (PP)

**Sent:** Thursday, September 07, 2017 3:17 PM **To:** Jones, Enesta < <u>Jones. Enesta@epa.gov</u>>

Subject: Re: Checking in for update re: Chemours PFAS compounds released in Cape

Fear River

Thank you!

Tomorrow is my deadline. Sunday really but I hope you do not work in weekends!

Cathy

On Sep 7, 2017, at 3:14 PM, Jones, Enesta < Jones. Enesta @epa.gov > wrote:

Hi Catherine, I'll look into this. What's your deadline?

On Sep 7, 2017, at 3:13 PM, Catherine Clabby **Ex. 6 Personal Privacy (PP)** wrote:

Hello Enesta.

You helped me earlier this summer regarding getting information about EPA's investigation regarding Chemours Co's compliance with a 2009 order EPA issued under the TSCA regarding the production of GenX. (Please see email thread below.) Thank you again for that!

I'm checking in to learn about the status of that investigation you described.

At what stage is the probe now?

Has EPA found evidence that Chemours did not comply with the order.

Does EPA expect to take any regulatory action against Chemours or DuPont on this matter?

I'm happy to talk by phone if that is best.

Best wishes, Cathy Clabby NC Health News

I'm just back from a summer trip. In case it is of use to you, here is our most recent story on the issues of GenX and wider PFAS and PFOA contamination in North Carolina.

https://www.northcarolinahealthnews.org/2017/08/17/genx-pollution-what-happened-when/

Catherine Clabby I <u>Journalist</u> 919.423.6163 @cathyclabby

On Jul 12, 2017, at 3:21 PM, Jones, Enesta <Jones. Enesta@epa.gov> wrote:

Hi Catherine,

Please attribute our response below to an EPA spokesperson:

EPA has initiated an investigation into Chemours's compliance with a 2009 order issued under the Toxic Substances Control Act (TSCA) for the production of GenX. This investigation will allow EPA to determine whether Chemours is in compliance with requirements of the order to control releases to the environment at the Fayetteville, N.C., facility. EPA is also reviewing the additional toxicity data submitted by the company, as required under the consent order, and updating the risk assessment using the additional toxicity data specific to GenX. At the request of the North Carolina Department of Environmental Quality (NCDEQ), scientists in EPA's Office of Research and Development are conducting an independent laboratory analysis of four rounds of

water samples being collected by NCDEQ at 13 locations in the Cape Fear River in June and July.

Under the terms of the Consent Order, for operations in the United States, DuPont (Chemours) is required to recover and capture (destroy) or recycle the chemical from all the process wastewater effluent streams and air emissions (point source and fugitive) at an overall efficiency rate of 99% (i.e., 99% of the chemical can't be released into the environment). Further, under the terms of the Consent Order, Dupont may only distribute the chemical to those customers, such as manufacturers and processers, that can also achieve this percentage of efficiency or destruction.

From: Catherine Clabby

[mailto: Ex. 6 Personal Privacy (PP) Sent: Tuesday, July 11, 2017 9:27 PM

**To:** Lincoln, Larry < <u>Lincoln Larry@epa.gov</u>>; Marraccini, Davina < <u>Marraccini Davina@epa.gov</u>> **Subject:** Reporter's query about GenX issue in

Cape Fear

Hi Larry and Davina. I'm a reporter at <u>NC Health</u> <u>News</u>. Jamie Krietzer at NC DEQ said you would be the right pios at EPA to contact regarding questions regarding the ongoing inquiry to the discovery of PFOA replacement chemicals in the Cape Fear River downstream of the Chemours' Faetteville Works.

For a story I'm filing on Wednesday, here are my questions:

What is the scope of <u>EPA's investigation</u> into the discovery of the compounds in the Cape Fear?

If the EPA determines that Chemours plant did not comply with 2009 consent order with EPA that strictly limited release of PFOA replacement chemicals from its GenX operation in Fayetteville, what range of penalties could EPA impose on the company?

Chemours officials have told NC officials that the compounds did not come from its GenX operations. Instead they came from another site at Fayetteville Works, possibly starting back in the 1980s. Does that appear to be plausible?

Given the limits of release imposed by the consent order, did Chemours have any legal standing to release the PFOA replacements from anywhere at Fayetteville Works in the river?

How long as EPA been aware that that PFOA replacements were being released from the industrial property?

I'm happy to speak by phone if that is best for you.

Thank you in advance for your help.

Best wishes, Cathy Clabby

**Enesta Jones** 

U.S. EPA

Office of Media Relations

Office: 202.564.7873
Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 10/16/2017 7:24:14 PM

To: l.sanders@newsweekgroup.com

**CC**: Press [Press@epa.gov]

Subject: RE: Newsweek Comment Request

Linley, for attribution to "an EPA spokesperson," please:

EPA will review all comments as part of the deliberative process connected to the proposal. The agency will respond after the comment period has ended.

Cheers, R.

Robert Daguillard
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U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP)

From: Daguillard, Robert

Sent: Monday, October 16, 2017 2:19 PM

To: 'l.sanders@newsweekgroup.com' <l.sanders@newsweekgroup.com>

**Cc:** StClair, Christie < StClair.Christie@epa.gov> **Subject:** FW: Newsweek Comment Request

Linley, my colleague Christie referred your inquiry to me, since I now handle RFS-related questions. Are you asking for a fact-check of some sort? I can't give you a comment on background, but give me a ring if you want/need context.

Cheers, R.

Robert Daguillard
Office of Media Relations
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Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Linley Sanders [mailto:l.sanders@newsweekgroup.com]

**Sent:** Monday, October 16, 2017 1:29 PM **To:** StClair, Christie < StClair.Christie@epa.gov > **Subject:** Newsweek Comment Request

Hey Christie,

I'm a reporter with Newsweek, and I'm writing about the EPA open comment period on reducing biofuel output in America. Can we talk about a quick comment and so I can ensure I'm reading everything correctly? I'm at 646.867.7146.

Linley

Linley Sanders
Newsweek | Breaking News Reporter
1.sanders@newsweekgroup.com
646.867.7146

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 10/3/2017 8:29:51 PM

**To**: Kevin Elliott [kevinelliott@downtownpublications.com]

**CC**: Press [Press@epa.gov]

Subject: RE: Dicamba

Good afternoon Kevin,

For attribution to "an EPA spokesperson," please:

"We are reviewing the current use restrictions on the labels for these dicamba formulations in light of the incidents that have been reported this year. The underlying causes of the various damage incidents are not yet clear, as on-going investigations have yet to be concluded. But EPA is reviewing all available information carefully. We will rely on the best information available to inform any regulatory change."

Thanks for reaching out, R.

Robert Daguillard
Office of Media Relations
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Washington, DC
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Ex. 6 Personal Privacy (PP) | M)

From: Kevin Elliott [mailto:kevinelliott@downtownpublications.com]

Sent: Tuesday, October 03, 2017 4:21 PM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

Subject: Dicamba

Robert,

I'm working on a story for Downtown Newsmagazine in Oakland County, Michigan about dicamba. I understand there's some current investigations that are ongoing, and I wanted to see if you could talk a little about that, and the current status of that, and what it entails.

Thank you,

Kevin Elliott Reporter Downtown Newsmagazine 248.792.6464 ext. 701

--

# **DOWNTOWN PUBLICATIONS**

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From: Jones, Enesta [Jones.Enesta@epa.gov]

**Sent**: 10/3/2017 6:55:42 PM **To**: Lu, Jennifer [jlu1@bna.com]

CC: Lynn, Tricia [lynn.tricia@epa.gov]; Press [Press@epa.gov]

Subject: Re: new nonattainment desginations for ozone

Hi Jennifer, attributable to an EPA spokesperson:

The agency is continuing to work closely with the states to work through the designations process for the 2015 ozone standard.

On Oct 3, 2017, at 2:55 PM, Lu, Jennifer < <u>ilu1@bna.com</u>> wrote:

Hello,

I would like to know when the EPA will announce the updated ozone nonattainment areas, due October 2nd?

Also, what is the reason for the delay?

Thanks, Jennifer Lu

From: Lynn, Tricia < lynn.tricia@epa.gov>
Sent: Monday, October 2, 2017 1:34:56 PM

To: Lu, Jennifer

Subject: RE: new nonattainment desginations for ozone

For attribution to "an EPA spokesperson:"

We have no information at this time.

Best,

Tricia

From: Lu, Jennifer [mailto:jlu1@bna.com]
Sent: Monday, October 02, 2017 12:32 PM

To: Press <Press@epa.gov>; Jones, Enesta <Jones.Enesta@epa.gov>

Subject: new nonattainment desginations for ozone

Hi Ms. Jones,

When this week will the EPA announce which areas are in nonattainment under the updated 2015 ground-level ozone standards?

Thanks,

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 10/3/2017 5:10:08 PM

To: Christiaan Hetzner Ex. 6 Personal Privacy (PP)

**CC**: Press [Press@epa.gov]

Subject: RE: Press Inquiry about diesels, outdoor air quality limits and German carmakers

Christiaan, same attribution as earlier, please:

EPA's current 1-hour <u>national ambient air quality standard for NO2</u> is a level of 100 ppb. The form for the 1-hour NO2 standard is the 3-year average of the 98<sup>th</sup> percentile of the annual distribution of daily maximum 1-hour average concentrations. A level of 100 ppb is equivalent to 190 ug/m3.

EPA also has an annual standard for NO2 of 53 ppb averaged over a year. A level of 53 ppb is equivalent to 100 ug/m3.

Whether the US standard is more or less stringent than an EU standard would depend on a variety of factors including the form and averaging time, in addition to the level of the standard.

From: Christiaan Hetzner [mailto: Ex. 6 Personal Privacy (PP)

Sent: Tuesday, October 03, 2017 10:30 AM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

Subject: Re: Press Inquiry about diesels, outdoor air quality limits and German carmakers

Many many thanks, Robert!

there doesn't seem to be an annual figure in other words. And the 100 ppb - there wouldn't happen to be a metric equivalent in micrograms per cubic meter of volume?

Best

 $\mathbf{C}$ 

Sent from my iPad

On 3. Oct 2017, at 16:13, Daguillard, Robert < Daguillard, Robert@epa.gov > wrote:

Christiaan, for attribution to "an EPA spokesperson," please:

In 2010, EPA established a 1-hour <u>national ambient air quality standard for NO2</u> at a level of 100 ppb. This level defines the maximum allowable concentration anywhere in an area. The agency also set a new "form" for the standard. The form is the air quality statistic used to determine if an area meets the standard. The form for the 1-hour NO2 standard is the 3-year average of the 98<sup>th</sup> percentile of the annual distribution of daily maximum 1-hour average concentrations.

In addition to state and federal efforts to attain the NO2 NAAQS directly, EPA has developed other programs to reduce emissions of NOx (including NO2) in order to reduce acid deposition, formation of ground-level ozone and fine particulate matter. These programs include, a number of emissions standards for transportation sources, the Acid Rain Program, NOx Budget Trading Program, the Clean Air Interstate Rule and Cross State Air Pollution Rule. These programs are significantly reducing power

sector NOx emissions (including NO2) to help states attain the ozone and PM2.5 NAAQS. For example, since 1997, power plants affected by these programs, along with other regional and state  $NO_x$  emission control programs, have cut ozone season NOx emissions by over 75 percent.

The current U.S. standard for ground-level ozone is 0.070 parts per million (ppm), or 70 ppb.

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Christiaan Hetzner [mailto: Ex. 6 Personal Privacy (PP)

Sent: Monday, October 02, 2017 12:12 PM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

Cc: Press < Press@epa.gov >; Jones, Enesta < Jones. Enesta@epa.gov >

Subject: Re: Press Inquiry about diesels, outdoor air quality limits and German carmakers

My apologies, should have given an indication about that. Would ideally have an answer by the close of business your time, since it's for a piece i plan to send to my editor tomorrow morning German time. Whether he uses it then or on Wednesday for example, is something over which i have no control.

The EU's limits are derived from a WHO recommendation - 200 micrograms per cubic meter max on any one hour, and an annual average that may not exceed 40.

Not looking for a statement, just checking whether Wissmann is playing fast and loose with the facts when he says the EPA has a higher threshold of 100 (for the annual basis)

best Christiaan

On Oct 2, 2017, at 6:05 PM, Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u>> wrote:

I'll take this.

From: Christiaan Hetzner [mailto: Ex. 6 Personal Privacy (PP) ]

Sent: Monday, October 02, 2017 11:43 AM

To: Press < Press@epa.gov>

Cc: Jones, Enesta < Jones. Enesta@epa.gov>

Subject: Press Inquiry about diesels, outdoor air quality limits and German carmakers

Dear EPA press team,

I am a reporter covering the German auto industry for Automotive News (below a page from our latest issue), and was hoping you might be able to help me with a claim from the German automotive industry association VDA.

VDA President Matthias Wissmann, who also represents the global industry as OICA head, said the EPA limit for nitrogen dioxide concentrations was 100 micrograms per cubic meter of *ambient* air on an average annual basis. He loosely recommended the EU switch to the more lenient U.S. standards.

Can you confirm for me whether that is true, since in the EU the level is only 40 and hence dozens of cities are failing to meet them given the large numbers of diesels on our roads. Many thanks!

Sincerely, Christiaan Hetzner

Mobile: Ex. 6 Personal Privacy (PP)

<image001.png>

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 10/13/2017 8:16:59 PM

**To**: Steve Davies [steve@agri-pulse.com]

CC: Press [Press@epa.gov]
Subject: RE: Xtendimax language

Steve, for attribution, as usual, to "an EPA spokesperson," please:

# **RESPONSE**

## Monsanto Label:

XtendiMax - EPA No. 524-617: <a href="https://www3.epa.gov/pesticides/chem-search/ppls/000524-00617-20171012.pdf">https://www3.epa.gov/pesticides/chem-search/ppls/000524-00617-20171012.pdf</a>

#### **BASF Label:**

Engenia - EPA No. 7969-345: <a href="https://www3.epa.gov/pesticides/chem-search/ppls/007969-00345-20171012.pdf">https://www3.epa.gov/pesticides/chem-search/ppls/007969-00345-20171012.pdf</a>

Dupont Label: We'll have the final label available on the web shortly.

EPA held numerous meetings to discuss the underlying causes of crop damage with experts on the ground; thus, the audience that EPA was seeking (and received) input from was varied and wide.

Here are a few highlights:

- On September 18-19, 2017, we held a meeting with the American Association of Pest Control Officials (AAPCO) and the State FIFRA Issues Research and Evaluation Group (SFIREG)
- We held 2-3 conference calls with state agency pesticide regulators (most of the states that have been impacted by crop damage attributed to dicamba applications).
- We held 2 conference calls with State Cooperative Extension service agents/University weed scientists, crop consultants, etc. (each over 100 people in addition to EPA HQ and Regional staff)

From: Steve Davies [mailto:steve@agri-pulse.com]

Sent: Friday, October 13, 2017 3:08 PM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

Subject: Xtendimax language

https://www3.epa.gov/pesticides/chem\_search/ppls/000524-00617-20171012.pdf

Monsanto pointed me to this. Can EPA point me to the language for Engenia and FeXapan? We're just talking about links here.

\_\_\_\_\_

Steve Davies Associate Editor 202-744-1535 steve@agri-pulse.com

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From: Daguillard, Robert [Daguillard.Robert@epa.gov]

Sent: 10/2/2017 2:10:06 PM
To: sarah@rfdtv.com
CC: Press [Press@epa.gov]

Subject: RE: Dicamba Response Interview

Good morning Sarah,

For attribution to "an EPA spokesperson," please:

"We are reviewing the current use restrictions on the labels for these dicamba formulations in light of the incidents that have been reported this year. The underlying causes of the various damage incidents are not yet clear, as on-going investigations have yet to be concluded. But EPA is reviewing all available information carefully. We will rely on the best information available to inform any regulatory change."

Cheers, R.

From: Sarah Mock [mailto:sarah@rfdtv.com] Sent: Thursday, September 28, 2017 3:02 PM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

Subject: Dicamba Response Interview

Hi Robert,

Sarah Mock with RFDTV here, reporting on ag and rural issues for a national TV audience (we met at the RFS public hearing as well!). We're looking to an interview with some at the EPA on the federal response to ongoing Dicamba issues, and what the priorities are going forward on that issue. Is that something you can help us out with?

Thanks in advance for your help, Sarah

Sarah Mock
Washington Bureau Chief, RFD-TV News
m. [Ex. 6 Personal Privacy (PP)]
o. 202-554-0514

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 10/13/2017 4:36:24 PM

**To**: Emily.Flitter@thomsonreuters.com

**CC**: Press [Press@epa.gov]

**Subject**: RE: Question about new dicamba restrictions

Looks like we'll make it.

For attribution to "an EPA spokesperson," please:

Only to the new Monsanto, BASF, and Dupont formulations. Those formulations are used to control weeds in genetically modified cotton and soybeans.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]

**Sent:** Friday, October 13, 2017 12:23 PM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>
Subject: RE: Question about new dicamba restrictions

Sorry - forgot to respond to your second question - absolute latest I can update the story is 4pm.

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]

**Sent:** Friday, October 13, 2017 11:58 AM

**To:** Flitter, Emily R. (Reuters)

**Subject:** RE: Question about new dicamba restrictions

Good morning,

Checking. I take it you got the news release, correct?

Also, how late can we get back to you?

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]

**Sent:** Friday, October 13, 2017 11:55 AM

To: Press < Press@epa.gov>

Subject: Question about new dicamba restrictions

Hi,

Is the new set of restrictions to dicamba—making it a restricted use pesticide—applicable to ALL dicamba or only to the new Monsanto and BASF formulations?

Best,

**Emily** 

Emily Flitter
Correspondent
Thomson Reuters
Phone: 1 646 223 6310
@FlitterOnFraud
thomsonreuters.com

To: Abby Olena[ Ex. 6 Personal Privacy (PP)

Cc: Press[Press@epa.gov]

From: Daguillard, Robert[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BBE9682B940C4F2C90732E4D37355DD4-DAGUILLARD,]

**Sent:** Thur 10/12/2017 8:02:15 PM (UTC)

Subject: RE: Comment for The Scientist about mosquitoes. Deadline: Monday Oct 9 at 5 pm ET.

Abby, for attribution to "an EPA spokesperson," please:

# 1. Does the EPA have a plan in place for regulating the use of the genetically engineered (Oxitec) mosquitoes?

EPA will regulate GE mosquitoes in the same way the agency regulates other pesticides. The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) gives EPA the authority to regulate the distribution, sale, and use of pesticide products to ensure they do not cause unreasonable adverse effects on people or the environment.

# Background:

More specifically, FIFRA generally requires that, before a pesticide may be sold or distributed in commerce, it must be registered (licensed) based on sufficient scientific data for EPA to conclude that the use of the pesticide will not cause unreasonable adverse effects on people or the environment. FIFRA also gives EPA the authority to issue experimental use permits to allow the testing of a pesticide in the environment for the purpose of generating data to support the registration of the pesticide, and to control the distribution and use of a pesticide post-registration and to monitor its production.

Is there still an approval process that needs to take place since the FDA handed oversight over to EPA?

Yes. These products will now be regulated under FIFRA; thus the company must show EPA that their product meets FIFRA established safety standards.

3. If so, what is the timeline and basic structure of that sort of process?

From start to finish, the FIFRA statutory timeframes can be as short as 7 months to as long as about 2 years, depending on the type of registration application submitted to the Agency.

# **Background:**

FIFRA establishes a statutory framework creating timelines within which EPA must make a determination on an application. The timelines applied depends on the type of application submitted by the company.

At this point, EPA has not received an application from Oxitec. However, in general under FIFRA, an applicant typically applies first for an Experimental Use Permit (EUP) to generate the data necessary to support the registration. Should Oxitec request an EUP, once a complete EUP application has been submitted, the agency would have 7 months to reach a decision. After sufficient data have been collected in field testing (this may take from a few months to several years depending on the types of data to be generated), the applicant typically then applies for a registration under FIFRA. Once a registration application is received, the agency has 13-25 months to complete its review, depending on the nature of application. The 25-month estimate provides for input from nationally recognized technical experts via the EPA's FIFRA Scientific Advisory Panel when the Agency deems such input appropriate.

4. Will the EPA be looking to other countries in which the Oxitec mosquitoes have already been used for guidance in evaluating the mosquitoes' approval?

If Oxitec applies for a registration, they may submit information generated in another country which may or may not be used by the EPA in its evaluation of the Oxitec mosquito product under FIFRA.

5. Are there other examples of the release of living insects or other kinds of animals that EPA has overseen?

Over the past few years, EPA has regulated several field trial releases of *Wolbachia* bacteria that are contained within mosquitoes and are being evaluated for control of mosquito populations.

More information on these trials can be found at:

• <u>www.epa.gov/pesticides/epa-grants-extension-experimental-use-permit-wolbachia-mosquito</u> www.regulations.gov/docket?D=EPA-HQ-OPP-2017-0392 Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) M)

From: Abby Olena [mailto Ex. 6 Personal Privacy (PP)

Sent: Friday, October 06, 2017 1:57 PM

To: Press < Press@epa.gov>

Subject: Comment for The Scientist about mosquitoes. Deadline: Monday Oct 9 at 5 pm ET.

Hello EPA Press team,

I spoke with Robert Daguillard yesterday afternoon about a story I'm writing for <u>The Scientist</u> about the oversight of Oxitec mosquitoes shifting to the EPA. I hadn't heard from him, and I think he mentioned he was out today, so I wanted to try this avenue as well.

I've included some questions below my signature. If someone can help me find answers, that would be great. My story will be a short one (500 or words) headed for the Daily News section. Deadline is Monday at 5 pm ET.

All the best,

Abby Olena

\_\_ `

Science Writer www.abbyolena.com +1 919 636 7570

Does the EPA have a plan in place for regulating the use of the genetically engineered (Oxitec) mosquitoes?

Is there still an approval process that needs to take place since the FDA handed oversight over to EPA?

If so, what is the timeline and basic structure of that sort of process?

Will the EPA be looking to other countries in which the Oxitec mosquitoes have already been used for guidance in evaluating the mosquitoes' approval?

Are there other examples of the release of living insects or other kinds of animals that EPA has overseen?

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 10/12/2017 6:30:45 PM

To: Brown, Matthew [MBrown@ap.org]

CC: Press [Press@epa.gov]
Subject: RE: AP story on TSCA

Matt, for attribution to "an EPA spokesperson," please:

1. Does the determination on legacy uses apply across all 10 chemicals?

Yes, it applies to all 10 chemicals. EPA's rationale for this interpretation is described in detail in the preamble to "Procedures for Chemical Risk Evaluation Under the Amended Toxic Substances Control Act" — a procedural rule finalized on June 22, 2017. See pages 15-18 of the prepublication copy available on EPA's website here: <a href="https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/procedures-chemical-risk-evaluation-under-amended-toxic">https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/procedures-chemical-risk-evaluation-under-amended-toxic</a>. Generally, EPA interprets section 6 of TSCA to require risk evaluations and any corresponding risk management to focus on uses for which manufacturing, processing, or distribution in commerce is intended, known to be occurring, or reasonably foreseen to occur (i.e., is prospective or on-going).

2. Where is the line on "distribution in commerce"? If it was a previously distributed product (for which production is continuing) is that considered legacy?

No, because if production is ongoing, the use is not legacy.

As stated above: Generally, EPA interprets section 6 of TSCA to require risk evaluations and any corresponding risk management to focus on uses for which manufacturing, processing, or distribution in commerce is intended, known to be occurring, or reasonably foreseen to occur (i.e., is prospective or on-going).

From: Brown, Matthew [mailto:MBrown@ap.org]

Sent: Tuesday, October 10, 2017 2:54 PM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

Subject: RE: AP story on TSCA

Fair enough. Talk to you then.

Matt Brown

# Matthew Brown

**Associated Press Correspondent** 

mbrown@ap.org phone-406 896 1528

mobile- Ex. 6 Personal Privacy (PP)

fax-406 896 8117

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]

**Sent:** Tuesday, October 10, 2017 12:54 PM **To:** Brown, Matthew < MBrown@ap.org >

Subject: RE: AP story on TSCA

Thanks, Matt. Close of business might be ambitious, to be honest (keep in mind yesterday was a federal holiday).

Could we touch base tomorrow AM (your time or mine)? If nothing else, I expect I'd have a better idea of where things stand.

Cheers, R.

From: Brown, Matthew [mailto:MBrown@ap.org]

Sent: Tuesday, October 10, 2017 2:48 PM

To: Daguillard, Robert < Daguillard.Robert@epa.gov>

Subject: RE: AP story on TSCA

Thanks Robert. We're hoping to get answers as soon as possible, close of business today if possible, but deadline for oncamera intvw more flexible.

Matt Brown

# **Matthew Brown**

Associated Press Correspondent mbrown@ap.org
phone-406 896 1528
mobile[Ex. 6 Personal Privacy (PP)]
fax-406 896 8117

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]

**Sent:** Tuesday, October 10, 2017 12:47 PM **To:** Brown, Matthew < <u>MBrown@ap.org</u>>

Subject: RE: AP story on TSCA

Matt, I'm now back in the office and will follow up for you. What's your firm deadline, please?

From: Brown, Matthew [mailto:MBrown@ap.org]

Sent: Tuesday, October 10, 2017 2:39 PM

To: Jones, Enesta < <a href="mailto:lones.Enesta@epa.gov">! Press < <a href="mailto:Press@epa.gov">Press < <a href="mailto:Press@epa.gov">Press@epa.gov</a>>>

Subject: RE: AP story on TSCA

Hi Enesta-Following up on our request for some more information on TSCA reviews. Please let me know.

Matt Brown

## Matthew Brown

Associated Press Correspondent mbrown@ap.org

phone-406 896 1528 mobile (Ex. 6 Personal Privacy (PP))

fax-406 896 8117

From: Jones, Enesta [mailto:Jones.Enesta@epa.gov]

**Sent:** Friday, October 06, 2017 3:08 PM **To:** Brown, Matthew < MBrown@ap.org>

Subject: Re: AP story on TSCA

Hey Matthew, what's your firm deadline? Monday is a federal holiday.

On Oct 6, 2017, at 5:06 PM, Brown, Matthew < MBrown@ap.org > wrote:

Hi Enesta-

I'm hoping to follow up on some assistance that you provided last month on a TSCA story we've been working on.

Specifically, I was asking about "legacy" uses of the chemicals being evaluated by the agency. The agency's scoping material has made clear that legacy uses won't be considered but I want to be sure I'm not misinterpreting that. A couple specifics:

- -does the determination on legacy uses apply across all 10 chemicals?
- -where is the line on "distribution in commerce"? If it was a previously distributed product (for which production is continuing) is that considered legacy?

Please give me a call or let me know if any of that needs clarification.

We're looking to move our story next week so an answer at earliest chance would be most appreciated. Also, we're pursuing a companion video piece for this. Is anyone from the EPA available for a short, on-camera interview on the topic? We would come to you, of course, and could be flexible on timing as needed.

Thanks for your time and all help.

Matt Brown

<image002.jpg>
Matthew Brown
Associated Press Correspondent
PO Box 36300
Billings, MT 59107
mbrown@ap.org
phone-406 896 1528
mobile-[Ex.6 Personal Privacy (PP)]
fax-406 896 8117

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**To:** Christopher Flavelle[cflavelle@bloomberg.net]

**Cc:** Press[Press@epa.gov]

From: Daguillard, Robert JOEXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BBE9682B940C4F2C90732E4D37355DD4-DAGUILLARD,]

**Sent:** Wed 11/1/2017 12:38:32 PM (UTC)

Subject: Subject: Media request -- drop in R&D awards

Chris, for attribution to "an EPA spokesperson," please:

The FY 2016 enacted budget for the EPA's Office of Research and Development is \$513.322 million and in FY 2017 is \$498.467 million. This funding includes pay and administrative support.

Contractual authority in the FY 2016 enacted budget for the EPA's Office of Research and Development is \$161.583 million and in FY 2017 is \$143.405 million.

Cheers, R.

From: Christopher Flavelle (BLOOMBERG/ NEWSROOM:) [mailto:cflavelle@bloomberg.net]

Sent: Thursday, October 19, 2017 2:56 PM

To: Press < Press@epa.gov>

Subject: Media request -- drop in R&D awards

Good afternoon. I'm working on a story about a reduction in R&D contract awards at various agencies between FY16 and FY17, based on year-end data collected by Bloomberg Government. I wanted to give EPA a chance to comment.

According to BGOV's data, the value of EPA's R&D contract awards fell from \$48.7M in FY16 to \$41.6M in FY17. The drop was most pronounced at the Office of Air and Radiation (\$10.6M to \$2.2M) and Region IV-Southeast (\$3.9M to \$1.5M).

-What was EPA's budget authority for R&D contract spending in FY17? What was it in FY16?

-Do you want to comment on why R&D awards contracted so sharply at the offices mentioned above?

Best,

# Chris

Christopher Flavelle

Climate policy reporter, Bloomberg News

cflavelle@bloomberg.net | @cflav

Direct line: 202-807-2202 Signal: Ex. 6 Personal Privacy (PP) 1101 New York Avenue NW Washington, DC, 20005

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 10/31/2017 8:27:24 PM

To: dena.aubin@thomsonreuters.com

**CC**: Press [Press@epa.gov]

**Subject**: FW: Press Inquiry about Air Toxics (PAH)

Attachments: 000000sierra club v EPA compl.pdf; ATT00001.htm

# Hey Dena,

For attribution to EPA or to "an agency spokesperson" please, but we don't normally comment on pending litigation.

# Thanks, R.

From: <<u>Dena.Aubin@thomsonreuters.com</u>>
Date: October 31, 2017 at 3:45:18 PM EDT

To: <jones.enesta@epa.gov>

**Subject: Press Inquiry about Air Toxics (PAH)** 

Hi Enesta - Do you have a comment on the Sierra Club lawsuit filed today against the EPA over the extension of compliance deadlines for formaldehyde emission standards for wood composite products? (lawsuit attached).

Thanks very much.

Dena Aubin Correspondent

**Thomson Reuters** 

Phone: 646 223-6325 Mobile: Ex. 6 Personal Privacy (PP)

dena.aubin@thomsonreuters.com

thomsonreuters.com

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 10/12/2017 4:11:03 PM

**To**: Eric Wolff [ewolff@politico.com]

CC: Press [Press@epa.gov]
Subject: RE: aircraft CO2 rule

Hey Eric,

For attribution to "an EPA spokesperson" and, hopefully, with plenty of time to spare:

Yes. EPA is working on CO2 standards for aircraft to align them with the ICAO agreement. We cannot provide any updates on the Agency's approach to the cost-benefits analysis of this regulation at this time.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

**From:** Eric Wolff [mailto:ewolff@politico.com] **Sent:** Thursday, October 12, 2017 11:49 AM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

Subject: Re: aircraft CO2 rule

My deadline is 1, then it goes to an editor, so I can maybe jam something in late.

But Pro stories go out by email, so there's less meaningful opportunity to do updating, aside from via newsletters.

On Thu, Oct 12, 2017 at 11:38 AM, Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u>> wrote:

I'm assuming you'll publish online? Will you have time to update your story with an EPA comment if we get back to you, say, after 1 PM?

From: Eric Wolff [mailto:ewolff@politico.com]
Sent: Thursday, October 12, 2017 11:36 AM

**To:** Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u>>

Subject: Re: aircraft CO2 rule

| On Thu, Oct 12, 2017 at 10:12 AM, Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u> > wrote:  |
|---|
| Thanks, Eric. How long will you be updating your story?   |
|   |
| From: Eric Wolff [mailto:ewolff@politico.com]  Sent: Thursday, October 12, 2017 9:58 AM  To: Daguillard, Robert < Daguillard.Robert@epa.gov >  Subject: Re: aircraft CO2 rule         |
|   |
| Hi Robert no, no one got back to me. I plan to file this afternoon, so my deadline is 1 p.m.  |
| Fwiw, Liz Bowman already confirmed work on the rule to Bloomberg a week ago. I'm looking for my own confirmation (unless work has stopped!) and some information on the cost-benefit. |
| Oh, also, a source told me that EPA (or a contractor) has conducting a study to review the ICAO analysis for US market. Can you confirm that, too?                                    |
| Thanks!   |
| - Eric  |
|   |
| On Thu, Oct 12, 2017 at 9:20 AM, Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u> > wrote:   |
| Good morning Eric,  |
|   |
| Did my colleagues get back to you yesterday. What's your hard deadline, please?   |

Thanks, R.

| From: Eric Wolff [mailto:ewolff@politico.com]  Sent: Wednesday, October 11, 2017 1:02 PM  To: Press < Press@epa.gov >  Subject: aircraft CO2 rule |
|---|
| hi  |
| I hear EPA is working on a Co2 rule for aircraft as implementation for the ICAO agreement. Can you confirm?                                       |
| Also, given the administration's view on the limited benefits of carbon eductions, how will EPA approach the cost-benefit analysis?               |
| Thanks,   |
| Eric  |
| <del></del>   |
| Eric Wolff  |
| Energy Reporter   |
| POLITICO  |
| <u>760-303-1927</u>   |
| ewolff@politico.com   |
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|   |

\_\_

Eric Wolff

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Daguillard, Robert [Daguillard.Robert@epa.gov] From:

10/5/2017 7:19:52 PM Sent:

To: Todd Neeley [todd.neeley@dtn.com]

CC: Press [Press@epa.gov]

Subject: RE: Reporter, DTN re: Renewable Fuel Standard question

Todd, for attribution, as usual, to "an EPA spokesperson," we don't have any update at this time.

From: Todd Neeley [mailto:todd.neeley@dtn.com]

Sent: Thursday, October 05, 2017 3:14 PM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

Subject: RE: Reporter, DTN re: Renewable Fuel Standard question

Any luck on this yet Robert? Thanks again...

**Todd Neeley** 

DTN Staff Reporter | DTN/The Progressive Farmer | Ag News | United States

Phone: +1402.255.8237 | Cell: [Ex. 6 Personne Privacy (PP) ] | Fax: +1402.390.7187 | Wats: +1800.485.4000 x8237

Email: todd.neeley@dtn.com | Address: 9110 West Dodge Rd, Omaha, NE 68114

Twitter: https://twitter.com/ToddNeeleyDTN | http://www.dtnprogressivefarmer.com/dtnag/home



From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]

Sent: Thursday, October 05, 2017 9:27 AM To: Todd Neeley < todd.neeley@dtn.com>

Subject: FW: Reporter, DTN re: Renewable Fuel Standard question

Morning Todd,

Let me check.

From: Todd Neeley [mailto:todd.neeley@dtn.com]

Sent: Thursday, October 05, 2017 10:24 AM

To: Press <Press@epa.gov>

Subject: Reporter, DTN re: Renewable Fuel Standard question

We wanted to ask whether EPA is putting RFS pathway approvals on hold until 2019. Wondered if you could confirm today?

Sincerely,

**Todd Neeley** 

DTN Staff Reporter | DTN/The Progressive Farmer | Ag News | United States

Phone: +1402.255.8237 | Cell: | Ex.6 Personal Privacy (PP) | Fax: +1402.390.7187 | Wats: +1800.485.4000 x8237

Email: todd.neeley@dtn.com | Address: 9110 West Dodge Rd, Omaha, NE 68114
Twitter: https://twitter.com/ToddNeeleyDTN | http://www.dtnprogressivefarmer.com/dtnag/home



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From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 10/27/2017 10:43:31 PM

**To**: Dawson, Chester [chester.dawson@wsj.com]

**CC**: Press [Press@epa.gov]

**Subject**: Re: WSJ query on CAFE standards

Hullo Chester,

For attribution to "an EPA spokesperson," please.

1.) Based on current sales of light trucks relative to sedans, will the EPA/NHTSA need to further adjust the average fuel economy/GHG standards estimate for 2025 below 50.8 mpg?

We have not revised that calculation.

EPA uses car/truck share projections from the Energy Information Administration. The 50.8 mpg projection for MY 2025 was based on a projected 52% car/48% truck share from EIA's Annual Energy Outlook 2015. Based on data from our 2016 Fuel Economy Trends report, the split for MY 2015 was 57% cars/43% trucks. EIA and EPA classify small, 2-wheel drive, crossover vehicles as cars, since they are required to meet car standards for both GHG and fuel economy. That is why the car shares reported by EIA and EPA are higher than reported by most trade publications, which typically count all crossovers as trucks.

2.) Does the EPA believe the current "footprint"-based system for determined fuel economy standards has achieved the results intended by policymakers?

The standards are "footprint based" meaning that the manufacturers have to meet standards that are specific to the size (or footprint) of the cars or light trucks that they actually sell to consumers in a given year. As a result, all vehicle sizes and types have to improve over time to meet the standards. Also see answer to #3 below.

3.) Does the EPA have a comment on automakers move to "edge out" vehicle widths and wheelbases in order to increase their footprint and thereby lower their compliance hurdles?

We would point you to our Fuel Economy Trends report from last year here: <a href="https://www.epa.gov/fuel-economy-trends/trends-report">https://www.epa.gov/fuel-economy-trends/trends-report</a>

Highlight #4 provides information about trends regarding footprints of cars and trucks and shows that average footprint across the U.S. light-duty fleet has remained relatively stable over the past several years. Overall, between MY 2008 and MY 2015 the overall industry footprint for light duty vehicles increased by about 1%. A 1% increase in footprint would lead to a roughly 1% lower standard – equivalent to 2 grams of CO2/mi increase in emission or roughly 0.5 mpg decrease in fuel economy.

4.) Does the EPA believe that higher average fuel economy standards for passenger car sedans provides an incentive for automakers to abandon or reduce production of passenger car sedans in favor of vehicles classified as light trucks, including 4-wheel drive "crossover" vehicles?

EPA is not aware of data that supports the thesis that the standards are incentivizing car companies to reduce passenger car sedans (and car SUVs which must meet the same standards) to vehicles classified as light trucks.

Table 3.3 of our 2015 Fuel Economy Trends reportshows that the relative share of small 2-wheel drive SUVs (which must meet the car GHG standards), relative to small 4-wheel drive SUVs (which meet the truck GHG standards) has remained relatively stable over the 2000-2015 timeframe.

As noted abover: EIA and EPA classify small, 2-wheel drive, crossover SUVs as cars, since they are required to meet car standards for both GHG and fuel economy. That is why the car shares reported by EIA and EPA are higher than reported by most trade publications, which typically count all crossovers as trucks.

5.) Why are sedan-based 4-wheel drive unibody-frame crossovers classified as light trucks for the purpose of fuel economy/emissions standards?

Longstanding EPA and DOT/NHTSA regulations define truck utility to be 4-wheel drive vehicles with certain off-road design features.

6.) What is the publication date of the next EPA report on "Light-Duty Automotive Technology, Carbon Dioxide Emissions, and Fuel Economy Trends"?

We do not yet have a publication date for this report.

7.) What are the federal government's actual footprint <u>targets by OEM</u> (not in aggregate), and how close is <u>each OEM</u> to meeting its assigned federal footprint target, according to the latest annual data available? Note: I am NOT looking for OEM footprints, which I know are listed on page 48 table 4.6 of the EPA's latest report on light vehicle fuel economy trends. Rather, I want to know the <u>gap</u> between actual footprints and assigned targets.

We assume that you are interested in the footprint-based <u>GHG emissions targets</u> by OEMs as there are no "assigned footprint targets" for OEMs. OEMs have complete flexibility to design and produce their vehicles, with whatever footprints they choose, and then EPA uses the footprints to determine what the OEM GHG standards are based on the footprint-GHG emissions curves. Again, the philosophy underlying the program is that manufacturers choose the types of vehicles that are produced, while the EPA GHG standards require that all vehicles, regardless of footprint/size, must improve over time.

EPA publishes detailed GHG performance and compliance information each year in our Manufacturer Performance Report. The latest report addresses model years 2012 through 2015. Here is the link:

https://www.epa.gov/regulations-emissions-vehicles-and-engines/greenhouse-gas-ghg-emission-standards-light-duty-vehicles

Table 3-35 on page 64 summarizes, for each manufacturer, its actual performance/compliance value in MY 2015 and compares it to its footprint-based standard (or target) for MY 2015. This data is also summarized in Highlight 2 on page iv of the Executive Summary. DOT/NHTSA follows this same process to determine the CAFÉ standards for each OEM.

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.

Ex. 6 Personal Privacy (PP) (M)
202-564-6618 (O)

On Oct 26, 2017, at 1:16 PM, Dawson, Chester <chester.dawson@wsj.com> wrote:

Hi again Christie and Robert:

Not to confuse things, but I have a question that supersedes all of my others, and I'd appreciate an answer or link to wherever this information can be found publicly, namely:

What are the federal government's actual footprint <u>targets by OEM</u> (not in aggregate), and how close is <u>each OEM</u> to meeting its assigned federal footprint target, according to the latest annual data available?

Note: I am NOT looking for OEM footprints, which I know are listed on page 48 table 4.6 of the EPA's latest report on light vehicle fuel economy trends. Rather, I want to know the <u>gap</u> between actual footprints and assigned targets.

Thanks & regards, Chester

| On Thu, Oct 26, 2017 at 10:39 AM, StClair, Christie < StClair.Christie@epa.gov > wrote:   |
|---|
| Hi Chester,   |
| I'm looking into this for you now. I'm out of the office tomorrow, so I'm cc'ing my wonderful colleague Robert to help if this carries into tomorrow. |
| Christie  |
|   |

From: Dawson, Chester [mailto:chester.dawson@wsj.com]

**Sent:** Wednesday, October 25, 2017 5:03 PM **To:** StClair, Christie < StClair.Christie@epa.gov>

Subject: WSJ query on CAFE standards

Hi Christie:

Could you please provide a comment on the following questions, or ask one of your technical experts do to so?

1.) Based on current sales of light trucks relative to sedans, will the EPA/NHTSA need to further adjust the average fuel economy/GHG standards estimate for 2025 below 50.8 mpg? 2.) Does the EPA believe the current "footprint"-based system for determined fuel economy standards has achieved the results intended by policymakers? 3.) Does the EPA have a comment on automakers move to "edge out" vehicle widths and wheelbases in order to increase their footprint and thereby lower their compliance hurdles? 4.) Does the EPA believe that higher average fuel economy standards for passenger car sedans provides an incentive for automakers to abandon or reduce production of passenger car sedans in favor of vehicles classified as light trucks, including 4-wheel drive "crossover" vehicles? 5.) Why are sedan-based 4-wheel drive unibody-frame crossovers classified as light trucks for the purpose of fuel economy/emissions standards? 6.) What is the publication date of the next EPA report on "Light-Duty Automotive Technology, Carbon Dioxide Emissions, and Fuel Economy Trends"? I would appreciate an answer to some or all of the queries by Friday, if possible. Thanks & regards, Chester Dawson Senior Reporter Detroit Bureau The Wall Street Journal (313) 463-5091 chester.dawson@wsj.com @DecodeTheFirm

Chester Dawson Senior Reporter Detroit Bureau The Wall Street Journal (313) 463-5091 <a href="mailto:chester.dawson@wsj.com">chester.dawson@wsj.com</a> @DecodeTheFirm

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 10/27/2017 7:59:52 PM

**To**: Thomas.Polansek@thomsonreuters.com

**CC**: Press [Press@epa.gov]

**Subject**: RE: Reuters follow-up on dicamba assistance

Hey Tom,

Here's the rest. Usual attribution, please:

EPA will closely monitor the success of the current changes over the 2018 growing season to help inform our decision whether to allow the continued "over the top" use of dicamba beyond that growing season. The registrations will automatically expire on November 9, 2018, unless EPA determines before that date that off-site incidents are not occurring at unacceptable frequencies or levels. Our goal is to make a decision next year in time for growers to make informed seed purchase decisions for the next planting season.

With advice from state and industry experts and university crop scientists, we will use a weight-of-evidence approach to evaluate whether the new restrictions are successfully preventing damage to neighboring crops and other sensitive plants.

Thanks again and have a great week-end, R.

From: Daguillard, Robert

Sent: Friday, October 27, 2017 11:11 AM

To: 'Thomas.Polansek@thomsonreuters.com' < Thomas.Polansek@thomsonreuters.com >

Cc: Press < Press@epa.gov>

Subject: RE: Reuters follow-up on dicamba assistance

Hey Tom,

Usual attribution, please – and we're still working on the last couple of questions we sent yesterday.

Cheers, R.

**Incoming:** My story about dicamba investigations is going into its final round of editing. Also, my story is going to reference the 2-year registration given to dicamba herbicide products. Can you please explain why the EPA said the registrations will expire unless the agency determines that offsite incidents are not occurring at unacceptable frequencies or levels? What justifies an unacceptable frequency or level or offsite incidents?

# Response:

The original (2016) registration of the dicamba products designed to be used on crops genetically engineered to tolerate dicamba would, for the first time allow the herbicide to be applied ("over the top") to growing crops. Because it would be applied at a time when other crops would be vulnerable, extraordinary precautions were required to avoid off-site incidents, and we wanted to be able to step in if it wasn't working. EPA set the registrations to automatically expire in 2 years to allow EPA to change the registration, if necessary.

What would be an unacceptable frequency or levels of offsite incidents?

Along with state experts and university crop scientists, EPA will evaluate any reports of damage and will use a weight-of-evidence approach to evaluate a number of factors that might cause damage to neighboring crops and other sensitive plants.

From: Thomas.Polansek@thomsonreuters.com [mailto:Thomas.Polansek@thomsonreuters.com]

**Sent:** Thursday, October 26, 2017 12:35 PM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

Cc: Press < Press@epa.gov >

Subject: RE: Reuters follow-up on dicamba assistance

Thanks for your email Robert. I will use this information for my description of the EPA grants. I am hoping to publish my story tomorrow on states investigating dicamba complaints. Do you think you can please answer these last questions for me by noon on Friday?

From Wednesday: Can you please explain why the EPA said the registrations for dicamba herbicides will expire in 2018 unless the agency determines that offsite incidents are not occurring at unacceptable frequencies or levels? What justifies an unacceptable frequency or level of offsite incidents?

New: When will the EPA do the review to decide whether to renew the dicamba herbicide registrations? When will the EPA decide whether to renew the registrations? On what does the extension of the registrations depend?

I just left you a voicemail to check in. It would be great if you can please give me a quick call at 312-408-8556. Thanks! Tom

**From:** Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]

Sent: Wednesday, October 25, 2017 1:38 PM

**To:** Polansek, Tom (Reuters)

Cc: Press

Subject: RE: Reuters follow-up on dicamba assistance

Tom, for attribution, as usual, to "an EPA spokesperson," please. We're working on the questions you sent earlier today.

Cheers, R.

**Incoming:** Wondering if you can please help me understand the relationship between the EPA and states that are investigating dicamba complaints filed by farmers. Is it accurate to say this: The EPA gives grants to states to perform investigations into the potential misuse of pesticides, such as dicamba, and to do other work on behalf of the EPA?

**Response:** It is not an accurate statement that States are doing work on behalf of EPA through our grants. Under certain circumstances that are defined by the statute, FIFRA conveys primary enforcement responsibility (primacy) for use violations to the states. Where a state has primacy, use investigations are generally conducted under state law.

FIFRA also authorizes EPA to enter into cooperative agreements with states to further cooperation on the enforcement of pesticide law, amongst other things. EPA provides funding to states to investigate allegations of pesticide misuse and funding for programmatic activities such as decision implementation. More information can be found in the <u>FIFRA</u> Cooperative Agreement Guidance.

More information: Each state has a lead agency (often the state department of agriculture) with primary responsibility for investigating and enforcing incidents involving the use of pesticides in the state. For more information about enforcement in a state, contact the <u>state lead agency</u>.

From: Thomas.Polansek@thomsonreuters.com [mailto:Thomas.Polansek@thomsonreuters.com]

Sent: Thursday, October 19, 2017 3:01 PM

**To:** Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u>> **Subject:** Re: Reuters follow-up on dicamba assistance

Tomorrow morn is ok. I am finishing a draft of my story but it won't be published today. Thanks Robert.

Tom

Sent from my iPhone

On Oct 19, 2017, at 1:59 PM, Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u>> wrote:

Tom, a quick follow-up. How firm is your deadline? Asking as we may have a couple of different offices working on a response.

Is it OK to get back to you tomorrow, if it comes to that?

From: Daguillard, Robert

Sent: Thursday, October 19, 2017 1:53 PM

To: 'Thomas.Polansek@thomsonreuters.com' <Thomas.Polansek@thomsonreuters.com>

Subject: RE: Reuters follow-up on dicamba assistance

Got it. Let me talk to the appropriate folks and get back to you.

Cheers, R.

From: Thomas.Polansek@thomsonreuters.com [mailto:Thomas.Polansek@thomsonreuters.com]

Sent: Thursday, October 19, 2017 1:49 PM

**To:** Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u>> **Subject:** RE: Reuters follow-up on dicamba assistance

Thanks Robert. Wondering if you can please help me understand the relationship between the EPA and states that are investigating dicamba complaints filed by farmers. Is it accurate to say this: The EPA gives grants to states to perform investigations into the potential misuse of pesticides, such as dicamba, and to do other work on behalf of the EPA. ?

I do not need to quote you on this. I'm just looking for confirmation that I understand the system correctly.

On the record, can you please tell me whether the EPA doing any of its own investigations into dicamba use? Or is that work only being done by the states?

Please get back to me by the end of the day today if possible. Thanks! Tom

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]

Sent: Tuesday, October 17, 2017 5:06 PM

**To:** Polansek, Tom (Reuters)

Cc: Press

**Subject:** Re: Reuters follow-up on dicamba assistance

Tom, for attribution to "an EPA spokesperson," please:

Q1: I am following up for more information because I've come across the attached documents that show the EPA offered to provide states with lab assistance in analyzing dicamba. Can you please confirm that the EPA offered this help to states? Which states asked for and received help from the EPA?

A1: EPA provided laboratory assistance to Missouri to help analyze dicamba samples from the 2016 season. We have offered additional laboratory assistance to all states to help with sample analysis for 2017 dicamba incidents, as indicated in the documents you have provided. At this time, Minnesota and Illinois have submitted their samples for analysis, and we have asked the Regions to coordinate additional requests.

Q2: On a related matter, the Missouri Department of Agriculture said the EPA helped Missouri cover the costs of some lab tests in dicamba investigations last year. <u>Missouri said the EPA declined to help with lab fees in 2017 because the EPA expected it would receive too many requests from states for assistance</u>. Would the EPA like to comment on that?

EPA again was in a position to offer Missouri laboratory assistance during this past summer, but the state has so far not requested the support. EPA has offered laboratory assistance to 35 affected states, including Missouri. The agency has set aside resources needed to analyze up to 1,500 samples of dicamba. If needed, EPA can consider expanding this number.

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.

Ex. 6 Personal Privacy (PP) | M)
202-564-6618 (O)

On Oct 16, 2017, at 3:57 PM, "Thomas.Polansek@thomsonreuters.com" < Thomas.Polansek@thomsonreuters.com > wrote:

Hi Robert and Ernesta, Hope you're well. I am following up with a few questions about the EPA offering help to states with investigations into dicamba moving off target. I previously asked you whether the EPA had offered help to states handle investigations into dicamba. You said the EPA was "coordinating with states as they work to address these issues."

I am following up for more information because I've come across the attached documents that show the EPA offered to provide states with lab assistance in analyzing dicamba. Can you please confirm that the EPA offered this help to states? Which states asked for and received help from the EPA?

On a related matter, the Missouri Department of Agriculture said the EPA helped Missouri cover the costs of some lab tests in dicamba investigations last year. Missouri said the EPA declined to help with lab fees in 2017 because the EPA expected it would receive too many requests from states for assistance. Would the EPA like to comment on that?

Please get back to me by the end of the day on Tuesday. I am working to make sure that my story is accurate.

Thank you, Tom

Tom Polansek Reporter

Thomson Reuters

Phone: 312-408-8556

Mobile: Ex. 6 Personal Privacy (PP)

thomas.polansek@thomsonreuters.com

Tweet me: @tpolansek

cprocedures\_analytical-support\_dicamba-090717.pdf>

 $<\! addendum\text{-}to\text{-}the\text{-}guidance\text{-}for\text{-}requesting\text{-}analytical\text{-}suport\text{-}on\text{-}dicamba-}091517.pdf >$ 

| Message                                   |   |
|---|---|
| From:<br>Sent:<br>To:<br>CC:<br>Subject:  | Jones, Enesta [Jones.Enesta@epa.gov] 9/29/2017 6:46:37 PM Eugene.Gilligan@acuris.com Press [Press@epa.gov] WIFIA projects   |
| Eugene, EP                                | A has not yet closed on any of these 12 loans. We have no additional information to share at this time.   |
| <b>Sent:</b> Thurs<br><b>To:</b> Lynn, Tr | ne Gilligan [mailto:Eugene.Gilligan@acuris.com]<br>day, September 28, 2017 5:20 PM<br>ricia < <u>lynn.tricia@epa.gov</u> ><br>: WIFIA projects  |
| Hi, Tricia:                               |   |
|   | on is arising from a speech given by Jordan Dorfman, senior attorney advisor to EPA, who said at a Bond erence that three California projects would receive \$700 million in WIFIA funding. |
| Again, any v                              | way we can clear up the discrepancy?  |
| Thanks very                               | / much.   |
| Gene                                      |   |
| Sent: Thurs<br>To: Eugene                 | , Tricia [mailto:lynn.tricia@epa.gov]<br>day, September 28, 2017 2:59 PM<br>Gilligan < <u>Eugene.Gilligan@acuris.com</u> ><br>: WIFIA projects  |
| Gene—                                     |   |

Seife v. EPA (1:19-cv-05190)

If attributing, for attribution to "an EPA spokesperson:"

| Again, no loan funding has been received by any WIFIA project. No final decisions have been made as to whether individual projects will or will not receive loans, including any of the four in California.   |  |  |  |
|---|--|--|--|
| Best,   |  |  |  |
| Tricia  |  |  |  |
| From: Eugene Gilligan [mailto:Eugene.Gilligan@acuris.com]  Sent: Thursday, September 28, 2017 1:42 PM  To: Lynn, Tricia < lynn.tricia@epa.gov >  Subject: RE: WIFIA projects  |  |  |  |
| Hì, Tricia:   |  |  |  |
| Just checking on something one of our sources told us. The source said that 3 projects in California had received WIFIA funding, for a total of \$700 million. That would seem to eliminate the last project, the San Francisco Southeast Water Pollution Control project in San Francisco. |  |  |  |
| Can you provide any guidance on this?   |  |  |  |
| Thank you,  |  |  |  |
| Gene  |  |  |  |
| From: Lynn, Tricia [mailto:lynn.tricia@epa.gov] Sent: Thursday, September 28, 2017 11:51 AM To: Eugene Gilligan < Eugene.Gilligan@acuris.com > Subject: RE: WIFIA projects  |  |  |  |
| Hi Gene—  |  |  |  |

| Please see below for EPA's response to your inquiry. If attributing, please attribute to "an EPA spokesperson:"   |  |  |  |
|---|--|--|--|
| Best,   |  |  |  |
|   |  |  |  |
| Tricia  |  |  |  |
|   |  |  |  |
| Tricia Lynn   |  |  |  |
| Office of Public Affairs  |  |  |  |
| U.S. EPA  |  |  |  |
| Office: 202.564.2615  |  |  |  |
|   |  |  |  |
|   |  |  |  |
| The WIFIA program is inviting 12 entities with projects in nine states to apply for more than \$2 billion in Water  |  |  |  |
| Infrastructure Finance and Innovation Act (WIFIA) loans. (See <a href="https://www.epa.gov/wifia/wifia-fy-2017-letters-interest-and-selected-projects#selected-projects">https://www.epa.gov/wifia/wifia-fy-2017-letters-interest-and-selected-projects#selected-projects</a> .) Among them, the WIFIA program invited 4 entities with projects in California to apply for loans. (See below) |  |  |  |
|   |  |  |  |

EPA has not yet closed any of the 12 loans. After an invitee applies for WIFIA credit assistance, the WIFIA program

conducts a detailed financial and engineering review in order to develop the terms and conditions for the project. Once

a mutually agreeable term sheet is developed, the Administrator approves the loan and executes the term sheet. Based

on the term sheet, the WIFIA program finalizes the terms of credit assistance. At closing, the Administrator and the

borrower execute the credit agreement, which is the binding legal document that allows the borrower to receive WIFIA funds.

### California Projects Invited to Apply for WIFIA credit assistance:

| Project Name  | Borrower   | Requested Loan<br>Amount |
|---|--|--------------------------|
| Groundwater<br>Replenishment<br>System Final<br>Expansion                     | Orange County Water District (California)              | \$124 million            |
| Pure Water<br>San Diego   | City of San Diego (California)                         | \$492 million            |
| Water<br>Reclamation<br>Facility Project                                      | City of Morro Bay (California) (Small Community)       | \$82 million             |
| Southeast Water Pollution Control Plant Biosolids Digester Facilities Project | San Francisco Public Utilities Commission (California) | \$625 million            |

#### California

? Groundwater Replenishment System Final Expansion (Orange County, California) (PDF)(1 pg, 178 K)

| Pure Water San Diego (San Diego, California) (PDF)(1 pg, 178 K)   |
|---|
| Southeast Water Pollution Control Plant Biosolids Digester Facilities Project (San Francisco, California) (PDF)(1 pg, 230 K)  |
| Water Reclamation Project (Morro Bay, California) (PDF)(1 pg, 619 K)  |
|   |
|   |
| From: Eugene Gilligan [mailto:Eugene.Gilligan@acuris.com]  Sent: Wednesday, September 27, 2017 4:21 PM  To: Lynn, Tricia < lynn.tricia@epa.gov >  Subject: RE: WIFIA projects             |
|   |
| Hi, Tricia:   |
|   |
| Sorry to get back so late to you. I am wondering if you can provide the names of the water projects that received WIFIA funding in California. I understand that there are three of them. |
|   |
| Thanks, I don't know if it's possible, but if I can get an answer to this today, that would be great.   |
|   |
| Thanks very much.   |
| Gene  |
|   |
| From: Lynn, Tricia [mailto:lynn.tricia@epa.gov]  Sent: Wednesday, September 27, 2017 8:16 AM  To: Eugene Gilligan < Eugene.Gilligan@acuris.com >  Subject: RE: WIFIA projects             |
| Hi Gene—  |
|   |
| I see that you wrote to Enesta looking for an answer last night. Do you still want a response? If so, what's your hard deadline?  |

?

?

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From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 10/4/2017 10:45:06 AM

**To**: Adam Lidgett [adam.lidgett@law360.com]

CC: Press [Press@epa.gov]
Subject: Re: Law360 Press Request

Adam, for attribution to "an EPA spokesperson," please:

We don't normally comment on pending litigation. We'll be referring you to the U.S. Department of Justice.

Warm regards, R.

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

Sent: 10/12/2017 3:48:53 PM
To: phuc\_pham@wired.com
CC: Press [Press@epa.gov]

Subject: FW: WIRED (Phuc Pham) ((recd 9/29)) OPEN. Reporter has questions about environmental regulations pre-EPA,

specifically as they relate to Sauget, IL, the location of a SF cleanup. DDL flexible.

Good morning Mr. Pham,

The following is for attribution to "an EPA spokesperson," please:

The first law regulating pesticides was passed in 1910 to protect farmers from fraudulent claims. The Federal Government, at the time the U.S. Department of Agriculture, was required to ensure the quality and effectiveness of products, but not its potential effects on humans, wildlife, or the environment in general.

EPA cannot comment on how pesticides were regulated in the 1920's nor the history of Sauget, Illinois.

#### ADDITIONAL INFORMATION:

1947 marked the year of the passage of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), which required the Federal government to register products before they entered the marketplace. For more information about FIFRA and subsequent amendments, see: <a href="https://www.epa.gov/laws-regulations/summary-federal-insecticide-fungicide-and-rodenticide-act">https://www.epa.gov/laws-regulations/summary-federal-insecticide-fungicide-and-rodenticide-act</a>.

EPA was established on December 2, 1970 to consolidate in one agency a variety of federal research, monitoring, standard-setting and enforcement activities to ensure environmental protection. Since its inception, EPA has been working for a cleaner, healthier environment for the American people.

For additional information, visit the EPA archives at <a href="https://archive.epa.gov/">https://archive.epa.gov/</a> and relevant articles at: <a href="https://archive.epa.gov/epa/aboutepa/guardian-origins-epa.html">https://archive.epa.gov/epa/aboutepa/guardian-origins-epa.html</a> and <a href="https://archive.epa.gov/epa/aboutepa/birth-epa.html">https://archive.epa.gov/epa/aboutepa/birth-epa.html</a>

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

#### Reporter's questions:

My name is Phuc and I'm a researcher at Wired. I left you a voicemail. I'm fact-checking a story involving Monsanto and am in need of background info about what environmental regulations were like before the EPA was founded.

I'm reading that the company incorporated a small Illinois village in 1926 called Monsanto (later called Sauget) in order to avoid environmental regulations from what I assume were the county/state level at the time. Could you give me more info about this? Was it a common thing for companies to do back then? How does incorporation bypass any laws that might have applied regarding the environment?

Many thanks! Greatly looking forward to your answers.

Best,

Phuc Pham

phuc\_pham@wired.com

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 10/11/2017 4:08:08 PM

**To**: Tara Morgan [temorgan@sbgtv.com]

CC: Press [Press@epa.gov]
Subject: RE: Indoor Air Quality

Tara, for attribution, if needed, to "an EPA spokesperson," please:

We recommend you consult the following questions-and-answers link. The answers to questions 11 and 13 are most relevant to your inquiry.

https://www.epa.gov/formaldehyde/questions-and-answers-regarding-laminate-flooring#labreport

# 11. Should I have the indoor air of my home tested for formaldehyde if I have laminate flooring? If so, how should I interpret the results?

While there are several options for testing the indoor air in your home for formaldehyde, all of them have some drawbacks, ranging from cost and unknown reliability of the tests to the difficulty of interpreting the test results and the inability of the tests to differentiate among the many potential sources of formaldehyde in the home. Should you decide to have indoor air testing performed, you should consult the CPSC booklet for guidance.

## 13. I had my home's indoor air tested for formaldehyde and I received a lab report on the results. What level is considered safe? Has EPA established a safe level for formaldehyde in indoor air?

EPA has not established a safe level of formaldehyde for indoor air. There are a wide range of known or suspected potential health effects from formaldehyde exposure but the levels at which these effects may cause symptoms or disease in individuals depends on many factors, including the type of health effect and individual susceptibility. A number of guideline levels have been established by a variety of organizations, although none have been adopted by EPA. Review a table of some of the current guidelines for formaldehyde.

Since formaldehyde is present in most indoor environments, many organizations, including EPA, advise that formaldehyde levels be kept as low as reasonably achievable. In practice this means being aware of potential formaldehyde sources in the home and taking steps to reduce them, increasing ventilation if strong formaldehyde sources are present, and keeping temperature and humidity levels low, as this reduces formaldehyde emissions from some products (e.g., composite wood).

EPA also has emission standards for certain products – <a href="https://www.epa.gov/formaldehyde/formaldehyde-emission-standards-composite-wood-products">https://www.epa.gov/formaldehyde/formaldehyde-emission-standards-composite-wood-products</a>.

Here is some Acute Exposure Guideline Levels information <a href="https://www.epa.gov/aegl">https://www.epa.gov/aegl</a>

For general information <a href="https://www.epa.gov/formaldehyde">https://www.epa.gov/formaldehyde</a>

From: Tara Morgan [mailto:temorgan@sbgtv.com]

Sent: Tuesday, October 10, 2017 5:35 PM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

Subject: Re: Indoor Air Quality

Hello,

We are getting tests done on modern building materials used to build homes. Just wanted to find out if a standard has been set like in California and Canada. Are there safe levels of formaldehyde in a home? My deadline is later this week.

Thank you, Tara

Tara Morgan
Investigative Reporter
C: Ex. 6 Personal Privacy (PP)
Twitter: @tarawsyx6

On Oct 10, 2017, at 2:41 PM, Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u>> wrote:

Hullo Tara. What is your deadline and do you want to tell me more about your story? How does information form us fit into the story you're trying to tell? Just so we get you the best info.

Thx, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) | M)

From: StClair, Christie

**Sent:** Tuesday, October 10, 2017 2:22 PM **To:** Tara Morgan < <a href="mailto:temorgan@sbgtv.com">temorgan@sbgtv.com</a>

Cc: Daguillard, Robert < Daguillard.Robert@epa.gov >

Subject: RE: Indoor Air Quality

Hi Tara, apparently this issue is handled by our chemicals team, not our indoor air office. So it falls under my colleague Robert Daguillard's beat. He's cc'd and will help you from here.

Christie

From: StClair, Christie

Sent: Tuesday, October 10, 2017 1:01 PM
To: 'Tara Morgan' < temorgan@sbgtv.com>

Subject: RE: Indoor Air Quality

Hi Tara, I'll check on this for you. What is your deadline?

Christie

From: Tara Morgan [mailto:temorgan@sbgtv.com]

Sent: Tuesday, October 10, 2017 12:54 PM

**To:** Press < <u>Press@epa.gov</u>> **Subject:** Indoor Air Quality

Hello,

I'm a reporter with ABC6 news in Columbus, Ohio. I am researching information about indoor air quality when it comes to formaldehyde in a home. Are there standards for safe formaldehyde levels in homes?

Thank you, Tara

Tara Morgan Investigative Reporter WSYX ABC 6 / WTTE FOX 28 News

temorgan@sbgtv.com (C) Ex. 6 Personal Privacy (PP) (O) 614-481-2035

Twitter: @tarawsyx6

FB: https://www.facebook.com/TaraMorganABC6FOX28

ABC6OnYourSide.com | MyFOX28Columbus.com

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

 Sent:
 10/10/2017 2:41:19 PM

 To:
 Ex. 6 Personal Privacy (PP)

 CC:
 Press [Press@epa.gov]

Subject: RE: FW: Writer seeking comment on "Fluoride Chemicals in Drinking Water; TSCA Section 21 Petition; Reasons for

Agency Response"

Susannah, with apologies for the late reply – and for attribution to "an EPA spokesperson," please:

We suggest contacting CDC and this CDC webpage for this information:

https://www.cdc.gov/MMWR/preview/mmwrhtml/mm4841a1.htm. Also, here is information on EPA's website that may be useful to you, including the FR Notice responding to the petition: (https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/tsca-section-21#fluoride)

Very best, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) M)

From: Susannah Shmurak [mailto Ex. 6 Personal Privacy (PP)

Sent: Thursday, September 21, 2017 1:21 PM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

Subject: Re: FW: Writer seeking comment on "Fluoride Chemicals in Drinking Water; TSCA Section 21 Petition; Reasons

for Agency Response"

Thanks very much. Will the people you're contacting get in touch with me directly? I'm hoping to sort out a source on this sooner than Oct. 2.

Thanks! Susannah

On Thu, Sep 21, 2017 at 12:10 PM, Daguillard, Robert < Daguillard.Robert@epa.gov> wrote:

Thanks, Susannah,

Let me check. I'll reach out to the relevant program and see what we can come up with.

FYI, I'm out tomorrow, September 22, and all next week, and will return to the office on Monday, October 2. You're welcome to follow up with my colleagues Christie St. Clair and Julia Valentine while I'm out.

Cheers, R. Robert Daguillard Office of Media Relations U.S. Environmental Protection Agency Washington, DC +1 (202) 564-6618 (O) Ex. 6 Personal Privacy (PP) (M) From: Susannah Shmurak [mailto: Ex. 6 Personal Privacy (PP) Sent: Thursday, September 21, 2017 12:20 PM To: Daguillard, Robert < Daguillard.Robert@epa.gov > Subject: Re: FW: Writer seeking comment on "Fluoride Chemicals in Drinking Water; TSCA Section 21 Petition; Reasons for Agency Response" Hi Robert, Thanks very much for your prompt reply. Here is the document I've been reading, where I found your colleague's name: https://www.gpo.gov/fdsys/pkg/FR-2017-02-27/pdf/2017-03829.pdf My primary question concerns whether there are studies someone can point me to proving the efficacy of fluoridated water consumption for the prevention of dental caries after the widespread use of fluoritde toothpaste that don't have the same data quality issues mentioned in the critique of studies cited by the petitioner? If I'm reading right, there aren't any mentioned in this response. Many thanks!

Susannah

On Thu, Sep 21, 2017 at 11:08 AM, Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u>> wrote:

Good morning Susannah,

My colleagues from the toxic chemicals office have referred your inquiry to me. Can you send some questions – and, for my own edification, some information about the petition you're referencing? Happy to discuss if you have time to chat some time during the day.

Regards, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP)

From: Susannah Shmurak [mailto Ex. 6 Personal Privacy (PP)

**Sent:** Thursday, September 21, 2017 11:56 AM **To:** Leonard, Darlene < Leonard. Darlene@epa.gov>

Subject: Writer seeking comment on "Fluoride Chemicals in Drinking Water; TSCA Section 21 Petition; Reasons for

Agency Response"

Dear Ms. Leonard,

| I'm a writer working on an article about water fluoridation for <i>Ensia</i> magazine and was hoping to ask you some follow-up questions about the EPA's response to the Fluoride Chemicals in Drinking Water; TSCA Section 21 Petition. Would you be able to speak for 15 minutes sometime in the next week or two? |
|--|
| Many thanks!   |
| Susannah Shmurak Freelance Health and Environmental Writer   |
|  |
| Linked In Profile  |
|  |
| Susannah Shmurak   |
| Freelance Health and Environmental Writer  |
| HealthyGreenSavvy.com @healthygsavvy   |
|  |
| Linked In Profile  |
|  |
| Susannah Shmurak   |

Freelance Health and Environmental Writer

 $\frac{HealthyGreenSavvy.com}{@healthygsavvy}$ 

Linked In Profile

To: Titus, Rhea[RTitus@wusa9.com]

Cc: Press[Press@epa.gov]

From: Daquillard, Robert[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BBE9682B940C4F2C90732E4D37355DD4-DAGUILLARD,]

**Sent:** Tue 10/10/2017 1:21:19 PM (UTC)

Subject: RE: WUSA9 NEWS INQUIRY: PET SPOT ON PRODUCTS

Rhea, for attribution to "an EPA spokesperson," please:

#### **RESPONSE**

- 1. Number of incidents, ideally involving all brands and products, at a minimum involving Sergeant's; and
- 2. A list of products taken off the markets, ideally by all companies and brands involved, at a minimum by Sergeant's.

#### #1:

In 2016, there were 20,942 incidents involving Spot-On, the majority of which were minor effects such as skin and eye irritation that do not require veterinary care. Although our goal would be to have no incidents whatsoever, it is very important to put these numbers in context.

- There are 176 pesticide products registered, a mix of dog and cat products, with <u>hundreds of millions</u> of doses of spot on products sold each year.
- EPA changed product labels to make them clearer and to reduce the misuse, and the number of pet incidents has decreased by half since 2008 and continues to decline each year.
- As mentioned above, the majority of reported incidents include only effects such as skin and eye irritation that do not require veterinary care.

#### #2:

EPA did not remove products from the market. Registrants voluntarily remove (or cancel) their products for a variety of reasons and EPA does not maintain a list of those products. You can use the NPRO portal to EPA's Pesticide Product Information System to look up the regulatory status (i.e., active or canceled) of any registered pesticide at: <a href="http://npic.orst.edu/NPRO/">http://npic.orst.edu/NPRO/</a>

Thanks, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

**From:** Titus, Rhea [mailto:RTitus@wusa9.com] **Sent:** Monday, October 09, 2017 7:13 PM

**To:** Daguillard, Robert < Daguillard.Robert@epa.gov> **Subject:** WUSA9 NEWS INQUIRY: PET SPOT ON PRODUCTS

Importance: High

Hi Robert, this is Rhea at WUSA9 News in DC. Do you have an update on my the question I asked or an ETA of when you'll have an answer? I did ask a few weeks ago now and I really need an answer ASAP for the story we are working on.

Let me know if you need me to email you the two questions .

Thanks

**RHEA TITUS** 

Seife v. EPA (1:19-cv-05190) 9.1.2020 ED\_003047\_00006730-00001



A TEGNA Company | 4100 Wisconsin Ave NW, Washington, DC 2001

rtitus@wusa9.com | P. 202.895.5507 |

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 9/15/2017 9:28:37 PM

**To**: Titus, Rhea [RTitus@wusa9.com]

**CC**: Press [Press@epa.gov]

Subject: Re: WUSA9 NEWS: SERGEANT'S FLEA CONTROL FOLLOW UP (URGENT)

Thanks guys. That response has now gone to the reporter.

Robert Daguillard U.S. EPA Office of Media Relations Washington D.C. Ex. 6 Personal Privacy (PP) (M) 202-564-6618 (O)

On Sep 15, 2017, at 4:32 PM, Daguillard, Robert < Daguillard. Robert@epa.gov> wrote:

Rhea, here's the info on active ingredients, for attribution to "an EPA spokesperson," please:

"No active ingredient used in flea and tick products has been taken off the market because of adverse effects in pets treated with it. As we previously stated, registrants were required to change their product labels to clarify several statements related to use on cats and dogs based on incident data reviewed by the agency.

In 2015, EPA and Sergeant's Pet Care Products, Inc. and Wellmark International have agreed to stop producing pet collars containing the pesticide propoxur. This decision was reached as a result of discussions about how to reduce children's exposure to propoxur in pet collars. For more information: <a href="https://www.epa.gov/pets/meetings-registrants-pet-spot-products">https://www.epa.gov/pets/meetings-registrants-pet-spot-products</a>"

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

From: Titus, Rhea [mailto:RTitus@wusa9.com]
Sent: Thursday, September 14, 2017 6:22 PM
To: Daguillard, Robert < Daguillard.Robert@epa.gov>

Subject: WUSA9 NEWS: SERGEANT'S FLEA CONTROL FOLLOW UP (URGENT)

Importance: High

Hi Robert my name is Rhea, I work at WUSA9 News in DC. My co-worker Eliana Block sent me the statement you sent her last week regarding Segeant's Flea Control. In your response to her, you responded saying this:

## 1) <!--[if !supportLists]--><!--[endif]-->Have there been any investigations into Sergeant's flea products?

Yes, EPA has done a thorough review of incident data related to pet spot-on products, **and** EPA continues to monitor incident data not only for Sergeant's products but for all manufacturers to ensure the continued safety of the pet spot-on products. EPA wants to ensure that these products continue to provide effective flea and tick control while minimizing any adverse effects on pets. Some active ingredients in flea and tick products have been taken off the market because of the number of adverse reactions in pets treated with them.

We recognize that some pets may be more sensitive than others to these products. Following a period of unusually high numbers of incident reports involving pet spot-on products, EPA took action in 2010 and has seen a significant decrease in the number of pet incidents since then. Registrants were required to change their product labels to clarify several statements related to use on cats and dogs. The statements, which apply to dogs as well as cats, include:

- <!--[if !supportLists]--><!--[endif]-->Expanding the number of weight ranges and providing appropriate pictures of the weight ranges;
- <!--[if !supportLists]--><!--[endif]-->Repeating the word "dog" or "cat," as appropriate, throughout the instructions on the packaging,
- <!--[if !supportLists]--><!--[endif]-->Having species, age, and weight ranges clearly labeled on all
  packaging; and
- <!--[if !supportLists]--><!--[endif]-->Including specific cat warnings on all dog products.

Can you please tell me the list of what specific active ingredients in flea and tick products have been taken off the market because of the number of adverse reactions in pets treated with them.

Also do you have a report of what number of pets have had adverse reactions to the products with active ingredients?

Thanks, we are working on a deadline and need those two answers ASAP, thanks!

#### **RHEA TITUS**

WUSA9 News Researcher
<image003.jpg>
<image004.jpg>| 4100 Wisconsin Ave NW, Washington, DC 2001
rtitus@wusa9.com | P. 202.895.5507 |

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 9/15/2017 8:32:12 PM

**To**: Titus, Rhea [RTitus@wusa9.com]

**CC**: Press [Press@epa.gov]

Subject: RE: WUSA9 NEWS: SERGEANT'S FLEA CONTROL FOLLOW UP (URGENT)

Rhea, here's the info on active ingredients, for attribution to "an EPA spokesperson," please:

"No active ingredient used in flea and tick products has been taken off the market because of adverse effects in pets treated with it. As we previously stated, registrants were required to change their product labels to clarify several statements related to use on cats and dogs based on incident data reviewed by the agency.

In 2015, EPA and Sergeant's Pet Care Products, Inc. and Wellmark International have agreed to stop producing pet collars containing the pesticide propoxur. This decision was reached as a result of discussions about how to reduce children's exposure to propoxur in pet collars. For more information: <a href="https://www.epa.gov/pets/meetings-registrants-pet-spot-products">https://www.epa.gov/pets/meetings-registrants-pet-spot-products</a>"

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)

EX. 6 Personal Privacy (PP) (M)

From: Titus, Rhea [mailto:RTitus@wusa9.com]
Sent: Thursday, September 14, 2017 6:22 PM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

Subject: WUSA9 NEWS: SERGEANT'S FLEA CONTROL FOLLOW UP (URGENT)

Importance: High

Hi Robert my name is Rhea, I work at WUSA9 News in DC. My co-worker Eliana Block sent me the statement you sent her last week regarding Segeant's Flea Control. In your response to her, you responded saying this:

#### 1) Have there been any investigations into Sergeant's flea products?

Yes, EPA has done a thorough review of incident data related to pet spot-on products, **and** EPA continues to monitor incident data not only for Sergeant's products but for all manufacturers to ensure the continued safety of the pet spot-on products. EPA wants to ensure that these products continue to provide effective flea and tick control while minimizing any adverse effects on pets. Some active ingredients in flea and tick products have been taken off the market because of the number of adverse reactions in pets treated with them.

We recognize that some pets may be more sensitive than others to these products. Following a period of unusually high numbers of incident reports involving pet spot-on products, EPA took action in 2010 and has seen a significant decrease in the number of pet incidents since then. Registrants were required to change their product labels to clarify several statements related to use on cats and dogs. The statements, which apply to dogs as well as cats, include:

- Expanding the number of weight ranges and providing appropriate pictures of the weight ranges;
- Repeating the word "dog" or "cat," as appropriate, throughout the instructions on the packaging,

- Having species, age, and weight ranges clearly labeled on all packaging; and
- Including specific cat warnings on all dog products.

Can you please tell me the list of what specific active ingredients in flea and tick products have been taken off the market because of the number of adverse reactions in pets treated with them.

Also do you have a report of what number of pets have had adverse reactions to the products with active ingredients?

Thanks, we are working on a deadline and need those two answers ASAP, thanks!

#### **RHEA TITUS**

WUSA9 News Researcher

WUSG\*90

\* The Color of the August 1 4100 Wisconsin Ave NW, Washington, DC 2001

rtitus@wusa9.com | P. 202.895.5507 |

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 9/21/2017 2:53:10 PM

To: Dan MacGuill [dan.macguill@teamsnopes.com]

**CC**: Press [Press@epa.gov]

Subject: RE: Media Enquiry: Request for expert opinion re: neurotoxicity of the organophosphate insecticide Naled

Dan, for attribution to "an EPA spokersperson," or to the agency, please:

#### 1) Is Naled a neurotoxin?

Naled belongs to the organophosphate class of insecticides, which can be neurotoxic as they act by inhibiting cholinesterase, an enzyme in the nervous system of both mammals and insects. However, cholinesterase inhibition occurs at much higher doses than people would experience through the labeled use of the product.

Naled has been registered since 1959 for use in the United States. It is used primarily for controlling adult mosquitoes but is also used on food and feed crops and in greenhouses. For mosquito control, naled is most commonly applied aerially as an ultra-low volume (ULV) spray. More information on naled can be found atwww.epa.gov/mosquitocontrol/naled-mosquito-control.

## 2) If so, what specific damage can it cause?

When applied according to label instructions, EPA does not expect the use of naled for public health mosquito control to raise a human health concern. People are unlikely to breathe in amounts large enough or touch anything with enough insecticide on it to harm them. With greater exposure, cholinesterase inhibition in humans can overstimulate the nervous system causing nausea, dizziness, confusion, and at very high exposures (e.g., accidents or major spills), respiratory paralysis and death.

3) What sort of risk of neurotoxicity does Naled pose to the general public? i.e. Are its neurotoxic effects limited to those who handle the chemical or work in close proximity to it, or is there a significant possibility of neurotoxic effects among the general public, in an area where aerial mosquito spraying takes place?

EPA has estimated the exposure and risk to both adults and children posed by ultra-low volume aerial and ground application of naled. Because of the very small amount of active ingredient released per acre of ground, exposures were below an amount that might pose a health concern. These estimates assumed several spraying events over a period of weeks, and also assumed that a toddler would consume some soil and grass in addition to skin and inhalation exposure.

Because naled is applied at ultra-low volumes, low rates and does not persist in the environment, when applied according to label instructions, EPA does not expect the use of naled for public health mosquito control to raise a human health concern. People are unlikely to breathe in amounts large enough or touch anything with enough insecticide on it to harm them.

Agricultural workers handling and applying naled have to take extra precautions to ensure they do not expose themselves to high levels of naled. EPA has required a number of measures such as requiring closed mixing/loading systems and enclosed cabs for ground application or enclosed cockpits for aerial application in agriculture.

From: Dan MacGuill [mailto:dan.macguill@teamsnopes.com] Sent: Wednesday, September 20, 2017 3:22 PM

To: Daguillard, Robert < Daguillard. Robert@epa.gov> Subject: Re: Media Enquiry: Request for expert opinion re: neurotoxicity of the organophosphate insecticide Naled Hi Robert, Yes - tomorrow would be fine. Thanks for checking in. Dan On Wed, Sep 20, 2017 at 2:13 PM, Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u> > wrote: Hullo Dan, OK if we get back to you tomorrow? Thanks, R. Robert Daguillard Office of Media Relations U.S. Environmental Protection Agency Washington, DC +1 (202) 564-6618 (O) Ex. 6 Personal Privacy (PP) From: Dan MacGuill [mailto:dan.macguill@teamsnopes.com] Sent: Tuesday, September 19, 2017 12:25 PM To: Daguillard, Robert < Daguillard.Robert@epa.gov > Subject: Re: Media Enquiry: Request for expert opinion re: neurotoxicity of the organophosphate insecticide Naled Hi Robert,

I would hope to publish the story by tomorrow afternoon - as soon as I've had an opportunity to evaluate expert input and integrate that into the article.		
Thanks again,		
Dan		
On Tue, Sep 19, 2017 at 12:23 PM, Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u> > wrote:		
Good afternoon Dan,		
Let me check. When are you looking to publish your story?		
Thanks, R.		
Robert Daguillard		
Office of Media Relations		
U.S. Environmental Protection Agency		
Washington, DC		
<u>+1 (202) 564-6618</u> (O)		
Ex. 6 Personal Privacy (PP)		
From: Dan MacGuill [mailto:dan.macguill@teamsnopes.com]		
Sent: Tuesday, September 19, 2017 12:16 PM Subject: Media Enquiry: Request for expert opinion re: neurotoxicity of the organophosphate insecticide Naled		

Seife v. EPA (1:19-cv-05190) 9.1.2020 ED\_003047\_00006738-00003

Hi there,	
This is Dan Mac Guill from the fact-checking web site Snopes.com.	
I'm examining claims about the neurotoxicity of the insecticide Naled, and I was hoping you might give me an expert assessment.	t be able to
I would be happy to discuss this by phone, but it might be helpful if I provide a few specific questi feel free to respond in writing.	ons. Please

- Is Naled a neurotoxin?

If so, what specific damage can it cause?
What sort of risk of neurotoxicity does Naled pose to the general public? i.e
Are its neurotoxic effects limited to those who handle the chemical or work in close proximity to it, or is there a significant possibility of neurotoxic effects among the general public, in an area where aerial mosquito spraying takes place?

I would be very grateful if you could respond by 1pm EST time on Wednesday 20 September.

Thanks very much for your time and consideration.

Best Wishes,

Dan

Dan Mac Guill Writer, Snopes

267-326-8008 dan.macguill@teamsnopes.com @danmacg

Dan Mac Guill Writer, <u>Snopes</u>

267-326-8008 dan.macguill@teamsnopes.com @danmacg

Dan Mac Guill Writer, <u>Snopes</u>

267-326-8008 dan.macguill@teamsnopes.com @danmacg

Daguillard, Robert [Daguillard.Robert@epa.gov] From:

9/21/2017 1:26:34 PM Sent:

Jackie Pucci [jpucci@meistermedia.com] To:

CC: Press [Press@epa.gov]

Subject: **RE: Press Inquiry about Pesticides** 

Good morning Jackie and good to hear from you again,

For attribution – if needed – to "an EPA spokesperson," but: We have nothing to add to the statement we sent you on September 12.

Cheers, R.

Robert Daguillard Office of Media Relations U.S. Environmental Protection Agency Washington, DC +1 (202) 564-6618 (O) Ex. 6 Personal Privacy (PP) (M)

From: Jackie Pucci [mailto:jpucci@meistermedia.com] Sent: Thursday, September 21, 2017 9:19 AM To: Daguillard, Robert < Daguillard. Robert@epa.gov> Subject: RE: Press Inquiry about Pesticides

Hi Robert,

I saw another Reuters story, this time quoting Reuben Baris from EPA. https://finance.yahoo.com/news/u-regulatoraiming-allow-controversial-225849494.html

If there are any more details/confirmation you might be able to provide regarding EPA's rules for 2018 on dicamba, we would be very grateful. Also, is there a timeline for deciding dicamba regulations for next year? Thank you,

Jackie Pucci | Senior Editor Meister Media Worldwide 37733 Euclid Avenue | Willoughby, OH 44094 USA O: +1 440-602-9128 | C: + Ex. 6 Personal Privacy (PP) jpucci@MeisterMedia.com

Facebook | LinkedIn

From: Jackie Pucci

Sent: Tuesday, September 12, 2017 9:26 AM To: 'Daguillard, Robert' < Daguillard.Robert@epa.gov> Subject: RE: Press Inquiry about Pesticides

Thank you – appreciate the quick response.

Regards, Jackie

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]

**Sent:** Tuesday, September 12, 2017 9:25 AM **To:** Jackie Pucci <a href="mailto:jpucci@meistermedia.com">jpucci@meistermedia.com</a>

Cc: Press < Press@epa.gov >

Subject: FW: Press Inquiry about Pesticides

Good morning Jackie (if I may),

For attribution to "an EPA spokesperson," please:

We are reviewing the current use restrictions on the labels for these dicamba formulations in light of the incidents that have been reported this year. The underlying causes of the various damage incidents are not yet clear, as on-going investigations have yet to be concluded. But EPA is reviewing all available information carefully. We will rely on the best information available to inform any regulatory change

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) | M)

From: Jackie Pucci [mailto:jpucci@meistermedia.com]
Sent: Tuesday, September 12, 2017 9:20 AM
To: Daguillard, Robert < Daguillard, Robert@epa.gov>
Subject: Press Inquiry about Pesticides

Hi Mr. Daguillard,

I am an editor at CropLife magazine in Ohio, and am following the dicamba drift issue. I'm wondering if you can offer any follow-up/details to the Reuters story from last week that EPA is considering banning sprayings of dicamba after a set deadline next year. What is that deadline and what are the next steps to this process?

Thanks for any information!

Regards,

Jackie Pucci | Senior Editor

<u>Meister Media Worldwide</u>

37733 Euclid Avenue | Willoughby, OH 44094 USA
O: +1 440-602-9128 | C: + Ex. 6 Personal Privacy (PP)

jpucci@MeisterMedia.com

Facebook | LinkedIn

Facebook | LinkedIn

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 9/20/2017 9:03:09 PM

To: Bob Sandrick Ex. 6 Personal Privacy (PP)

CC: Press [Press@epa.gov]
Subject: Re: EPA questions

Hey Bob, for attribution to "an EPA spokesperson," please

EPA is in the process of developing guidance on this topic. We expect to release the draft guidance for public comment.

On Sep 20, 2017, at 9:51 AM, Bob Sandrick < Ex. 6 Personal Privacy (PP) wrote:

Just following up. I'm running out of time. Thanks.

# Bob Sandrick Ex. 6 Personal Privacy (PP) 216-313-4880

On Monday, September 18, 2017 8:03 PM, Robert Sandrick < Ex. 6 Personal Privacy (PP) wrote:

The publication is AgriBusiness Global, and my deadline is Friday, but I will begin writing on Wednesday. I understand the EPA guidelines have been delayed by a year or two, or at least that's what I've been told.

Sent from my iPhone

On Sep 18, 2017, at 2:42 PM, "Daguillard, Robert" < <u>Daguillard.Robert@epa.gov</u>> wrote:

Good afternoon Bob,

My colleague Josh Singer, from our Chicago office, forwarded me your question. Let me look into this for you.

Who are you writing your story for and when are you planning to publish?

Thanks, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Bob Sandrick < Ex. 6 Personal Privacy (PP) > Sent: Monday, September 18, 2017 11:11 AM

To: Singer, Joshua

Cc: Rowan, Anne; <a href="mailto:bassier.rachel@epa.gov">bassier.rachel@epa.gov</a>

Subject: Fw: EPA questions

Just following up, thanks.

### **Bob Sandrick**

Ex. 6 Personal Privacy (PP) 216-313-4880

On Friday, September 15, 2017 7:29 PM, Bob Sandrick < Ex. 6 Personal Privacy (PP) wrote:

Hello Mr. Singer. Here is an email I sent to Francisco Arcaute, who is now on vacation and wanted me to forward this to you:

### **Bob Sandrick**

Ex. 6 Personal Privacy (PP) 216-313-4880

On Friday, September 15, 2017 7:19 PM, Bob Sandrick Ex. 6 Personal Privacy (PP) wrote

David Beaudreau Jr., of the Biostimulant Coalition, told me that the EPA is scheduled to release guidance before the end of 2017 regarding the use of biostimulants on crops.

I would like to know what kind of guidance or regulations the EPA is planning. I know nothing about it.

Does the EPA have any existing regulations on the use of biostimulants? If so, what are they?

My deadline is Wednesday Sept. 20. My phone number is 216-313-4880 and my email address is Ex. 6 Personal Privacy (PP)

Thanks,

### **Bob Sandrick**

Ex. 6 Personal Privacy (PP)

216-313-4880

On Wednesday, September 13, 2017 3:44 PM, "Arcaute, Francisco" < Arcaute, Francisco@epa.gov > wrote:

Thanks for your interest in US EPA.

Please list your questions, deadline and best way to contact.

Francisco Arcaute US EPA press office 312 886 7613 **To:** Jenny Hopkinson[jhopkinson@politico.com]

Cc: Press[Press@epa.gov]

From: Daguillard, Robert JOEXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BBE9682B940C4F2C90732E4D37355DD4-DAGUILLARD,]

**Sent:** Wed 9/20/2017 8:43:34 PM (UTC)

Subject: RE: Dicamba

Thanks, Jenny. What we sent you is what we have to say at present.

From: Jenny Hopkinson [mailto:jhopkinson@politico.com]

**Sent:** Wednesday, September 20, 2017 4:34 PM **To:** Daguillard, Robert < Daguillard. Robert@epa.gov>

**Cc:** Press <Press@epa.gov> **Subject:** Re: Dicamba

Hey Robert,

I also asked about the mitigation measures agency is looking at. Will those restrictions supersede efforts by states like Arkansas that are considering banning its use after certain dates? Can you provide any more information?

Thanks!

Jenny Hopkinson | Agriculture Reporter | POLITICO | Office: 703-647-8541 | Mobile : Ex. 6 Personal Privacy (PP) @jennyhops

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From: "Daguillard, Robert" < Daguillard.Robert@epa.gov>

**Date:** Wednesday, September 20, 2017 at 4:29 PM **To:** Jenny Hopkinson < jhopkinson@politico.com>

Cc: Press < <u>Press@epa.gov</u>>
Subject: RE: Dicamba

Jenny, for attribution to "an EPA spokesperson," please:

We have nothing to add to the statement we sent you on September 6. The quotes and attributions in the Reuters story you are referencing are accurate.

From: Daguillard, Robert

**Sent:** Wednesday, September 20, 2017 4:13 PM **To:** 'Jenny Hopkinson' <<u>ihopkinson@politico.com</u>>

Subject: RE: Dicamba

Waiting for a response, hopefully very soon.

From: Jenny Hopkinson [mailto:jhopkinson@politico.com]

**Sent:** Wednesday, September 20, 2017 4:09 PM **To:** Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u>>

Subject: Re: Dicamba

Hey Robert-

Circling back on this — anything you can get me today?

Seife v. EPA (1:19-cv-05190)

9.1.2020

Thanks!

Jenny Hopkinson | Agriculture Reporter | POLITICO | Office: 703-647-8541 | Mobile: Ex.6 Personal Privacy (PP) | @jennyhops

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From: "Daguillard, Robert" < <u>Daguillard.Robert@epa.gov</u>>

**Date:** Wednesday, September 20, 2017 at 9:11 AM **To:** Jenny Hopkinson < <u>ihopkinson@politico.com</u>>

Subject: RE: Dicamba

Grazie. I figured.

From: Jenny Hopkinson [mailto:jhopkinson@politico.com]

**Sent:** Wednesday, September 20, 2017 9:10 AM **To:** Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u>>

Subject: Re: Dicamba

It's Tom's: http://mobile.reuters.com/article/amp/idUSKCN1BU2YW

Jenny Hopkinson | Agriculture Reporter | POLITICO | Office: 703-647-8541 | Mobile: Ex.6 Personal Privacy (PP) | @jennyhops

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From: "Daguillard, Robert" < Daguillard.Robert@epa.gov >

**Date:** Wednesday, September 20, 2017 at 9:09 AM **To:** Jenny Hopkinson < <u>jhopkinson@politico.com</u>>

Subject: RE: Dicamba

Of course. Let me see what I can find out.

BTW, the Reuters story you're referencing is by Emily Flitter and/or Tom Polansek, correct?

From: Jenny Hopkinson [mailto:jhopkinson@politico.com]

**Sent:** Wednesday, September 20, 2017 9:06 AM **To:** Daguillard, Robert < Daguillard. Robert@epa.gov>

Subject: Re: Dicamba

Hey Robert-

I just saw Reuters story this morning and am working on a quick item on it now. If you can confirm soon, I'd rather quote the agency. Otherwise I can update the item when you get back to me, though the sooner, the better.

Thanks!

Jenny Hopkinson | Agriculture Reporter | POLITICO | Office: 703-647-8541 | Mobile : Ex. 6 Personal Privacy (PP) @jennyhops

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From: "Daguillard, Robert" < Daguillard.Robert@epa.gov >

**Date:** Wednesday, September 20, 2017 at 9:03 AM **To:** Jenny Hopkinson < <u>ihopkinson@politico.com</u>>

Subject: RE: Dicamba

Morning Jenny. Thanks for reaching out. What's your hard deadline and how long will you keep updating your story?

Also, I imagine you've talked to states and industry, correct? Just for context and for my own edification.

Thanks, R.

From: Jenny Hopkinson [mailto:jhopkinson@politico.com]

**Sent:** Wednesday, September 20, 2017 8:52 AM **To:** Daguillard, Robert < Daguillard. Robert@epa.gov>

Subject: Dicamba

Hi Robert-

I'm seeing reports from Reuters that EPA is planning to allow farmers to use dicamba next year, though will have additional rules for its use. Is that the case? What are the additional rules the agency is looking at? Will those restrictions supersede efforts by states like Arkansas that are considering banning its use after certain dates?

I'm trying to get something out by noon. Thanks for your help!

Jenny Hopkinson | Agriculture Reporter | POLITICO | Office: 703-647-8541 | Mobile | Ex. 6 Personal Privacy (PP) @jennyhops

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From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 10/27/2017 5:27:29 PM

To: Pearson, Sam [spearson@bna.com]

**CC**: Press [Press@epa.gov]

**Subject**: SAM: TSCA and worker protection

Sam, for attribution to "an EPA spokesperson," please:

EPA is committed to protecting workers and has clear authority to do so under TSCA, as amended by the Frank R. Lautenberg Chemical Safety for the 21<sup>st</sup> Century Act. We can not speculate what kind of worker protections could result from EPA's reviews before evaluations are completed. However, the scope documents of EPA's risk evaluations for the first ten chemicals do address workers. In addition, EPA addressed consideration of workers in the final rule (<a href="https://www.federalregister.gov/d/2017-14325">https://www.federalregister.gov/d/2017-14325</a>) that established the Agency's procedures for chemical risk evaluations under TSCA.

If EPA determines that chemical substance presents an unreasonable risk of injury to health or the environment, TSCA requires the EPA to initiate the development a regulation to reduce the risks such that they would no longer be unreasonable (Read more <u>here</u> about actions EPA could take).

More information on authorities under the amended TSCA: TSCA section 6(b)(4)(A) requires that EPA conduct risk evaluations to determine whether a chemical substance presents an unreasonable risk of injury to health or the environment, without consideration of costs or other nonrisk factors, including an unreasonable risk to a "potentially exposed or susceptible subpopulation" identified as relevant to the risk evaluation by the Administrator, under the conditions of use. As defined in section 3 of the amended TSCA, the term "potentially exposed or susceptible subpopulation" means a group of individuals within the general population identified by the Administrator who, due to either greater susceptibility or greater exposure, may be at greater risk than the general population of adverse health effects from exposure to a chemical substance or mixture, such as infants, children, pregnant women, workers, or the elderly.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
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Ex. 6 Personal Privacy (PP) (M)

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 9/20/2017 6:20:47 PM

**To**: Stewart Yerton [syerton@civilbeat.com]

**CC**: Press [Press@epa.gov]

Subject: RE: Dicamba

Dear Stewart, for attribution to "an EPA spokesperson," please:

"We are reviewing the current use restrictions on the labels for these dicamba formulations in light of the incidents that have been reported this year. The underlying causes of the various damage incidents are not yet clear, as on-going investigations have yet to be concluded. But EPA is reviewing all available information carefully. We will rely on the best information available to inform any regulatory change."

Cheers, R.

Robert Daguillard
Office of Media Relations
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Ex. 6 Personal Privacy (PP) (M)

From: Stewart Yerton [mailto:syerton@civilbeat.com]
Sent: Wednesday, September 20, 2017 2:13 PM
To: Daguillard, Robert < Daguillard. Robert@epa.gov>

Subject: Dicamba

Hi Robert,

Thank you for being so responsive. Please send along the most recent official statement EPA has on dicamba. I anticipate it will be enough but will let you know if I need more.

Aloha,

Stewart

Stewart Yerton Senior Business Reporter (808) 352-5768 From: Daguillard, Robert [Daguillard.Robert@epa.gov]

Sent: 9/18/2017 8:37:10 PM

To: New Ag Edit [newagedit@calixo.net]

CC: Press [Press@epa.gov]

Subject: RE: interview with New Ag International

Good evening,

For attribution - if needed - to "an EPA spokesperson," please:

EPA is in the process of developing guidance on this topic. We expect to release the draft guidance for public comment. At this time, we decline the opportunity for an interview.

Regards, R.

Robert Daguillard Office of Media Relations U.S. Environmental Protection Agency Washington, DC +1 (202) 564-6618 (0) Ex. 6 Personal Privacy (PP) (M)

----Original Message----

From: New Ag Edit [mailto:newagedit@calixo.net] Sent: Tuesday, September 05, 2017 10:36 AM

To: Daguillard, Robert <Daguillard.Robert@epa.gov>

Cc: Press <Press@epa.gov>

Subject: interview with New Ag International

Good afternoon

The interview will be featured in the November English edition of our magazine New Ag International (www.newaginternational.com )& in the November edition of our monthly newsletter 2B Monthly (www.2BMonthly.com)

The deadline to receive answers to the interview questions will be Oct 13th

I look forward to your feedback

Thks and good day

Jean-Pierre Leymonie Tel +33 (0)3 89 30 51 20 Fax +33 (0)3 89 30 51 34 Mob [ Ex. 6 Personal Privacy (PP) www.newaginternational.com

----Message d'origine----

De : Daguillard, Robert [mailto:Daguillard.Robert@epa.gov] Envoyé : mardi 5 septembre 2017 16:21

À : newagedit@calixo.net

Cc : Press

Objet: RE: interview with New Ag International

Good afternoon Mr. Leymonie,

Thanks for reaching out. When is your deadline and when are you hoping to publish your story?

Merci d'avance,

Robert Daguillard Office of Media Relations U.S. Environmental Protection Agency Washington, DC +1 (202) 564-6618 (0) Ex. 6 Personal Privacy (PP) (M)

From: New Ag Edit [mailto:newagedit@calixo.net]

Sent: Wednesday, August 09, 2017 11:37 AM
To: Jones, Russell <Jones.Russell@epa.gov<mailto:Jones.Russell@epa.gov>>

Subject: interview with New Ag International

Dear Dr Jones,

On the occasion of the Miami congress we will publish a special issue of our magazine New Ag International ( see www.newaginternational.com<a href="http://www.newaginternational.com">http://www.newaginternational.com</a> )that will largely focus on Biostimulants with testimonials of industry leaders, industry organizations from around the world, etc.

In this issue, I would like to feature a 1 page interview with you (1000 words max for Q&A) that will also appear in our November monthly newsletter 2B Monthly (that covers Biostimulants and biopesticides). The interview questions will cover biologicals regulation in the USA ( Biopesticides but also the plans for biostimulants). Questions will be sent in writing.
Would you agree to such interview? If so I will send you questions during this month of August.

Please advise

Thks and BR

Jean-Pierre Leymonie Tel +33 (0)3 89 30 51 20 Fax +33 (0)3 89 30 51 34 Mob Ex. 6 Personal Privacy (PP)

www.newaginternational.com<http://www.newaginternational.com>

**To:** Vogt, Heidi[heidi.vogt@wsj.com]

**Cc:** Press[Press@epa.gov]

From: Daguillard, Robert JOEXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BBE9682B940C4F2C90732E4D37355DD4-DAGUILLARD.]

**Sent:** Mon 9/18/2017 5:18:10 PM (UTC)

Subject: FW: Looking for comment on TSCA implementation

Heidi, for attribution to "an EPA spokesperson," please:

As required in TSCA, the scope documents identify the hazards, exposures, conditions of use, and potentially exposed or susceptible subpopulations that EPA expects to consider in the risk evaluation. See: <a href="https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/asbestos-scope-document-and-supplemental-files">https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/asbestos-scope-document-and-supplemental-files</a>.

EPA interprets the statutory mandate to conduct risk evaluations and any corresponding risk management to focus on uses for which manufacturing, processing, or distribution in commerce is intended, known to be occurring, or reasonably foreseen to occur (i.e., is prospective or on-going), rather than reaching back to evaluate the risks associated with legacy uses, associated disposal, and legacy disposal, and interprets the definition of "conditions of use" in that context.

For instance, asbestos is no longer manufactured or processed for use in insulation and pipe wrapping, and it is not intended or foreseen to be manufactured or processed for that use (i.e., legacy uses), and EPA considers that such circumstances generally fall outside of the circumstances Congress intended EPA to consider in risk evaluations under section 6. (In part, this is because EPA does not have the authority under section 6 to compel private citizens to remove asbestos insulation from their attics/walls, or to remove the asbestos-containing pipe wrap from their basements. That said, EPA may consider background exposures from legacy use, associated disposal, and legacy disposal as part of an assessment of aggregate exposure or as a tool to evaluate the risk of exposures resulting from non-legacy uses.)

The scoping documents are open for comment until Sept 19, 2017. EPA will publish and take public comment on a subsequent problem formulation document which will refine the current scope, as an additional interim step, prior to publication of draft risk evaluations. These problem formulation documents are expected to be released within approximately 6 months of publication of the scope. (EPA would further note that timing constraints for the first 10 chemical risk evaluations resulted in scope documents that are generally not as refined or specific as EPA would intend for future scope documents. For future risk evaluations, EPA also will provide an opportunity for public comment on a <u>draft</u> scope document before finalizing.

Regarding your request for comment on lawsuits, our policy is not to comment on pending litigation.

Warm regards, R.

Robert Daguillard
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Ex. 6 Personal Privacy (PP) | M)

### Begin forwarded message:

From: "Vogt, Heidi" < heidi.vogt@wsj.com > Date: September 15, 2017 at 10:27:26 AM EDT

**To:** daguillard.robert@epa.gov

**Subject: Looking for comment on TSCA implementation** 

Hey Robert,

Heidi Vogt with WSJ here. I'm working on a story about TSCA implementation and would love to ask you a couple questions. You have time for a quick phone call today?

Seife v. EPA (1:19-cv-05190)

9.1.2020

CONT COST COST COST COST COST COST COST COS	
Heidi Vogt	

# **The Wall Street Journal**

Heidi

OFFICE: +1-202-862-6619

MOBILE: Ex.6 Personal Privacy (PP) |
heidi.vogt@wsj.com | @heidivogt | hvogtskype

To: Steve Davies[steve@agri-pulse.com]

Cc: Press[Press@epa.gov]

From: Daguillard, Robert JOEXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BBE9682B940C4F2C90732E4D37355DD4-DAGUILLARD, I

Sent: Mon 9/18/2017 2:05:40 PM (UTC)
Subject: RE: Pollinator label language

Steve, for attribution to "an EPA spokesperson," please:

The Agency has not yet sent out the letters to registrants that are described in the *Policy to Mitigate the Acute Risk to Bees from Pesticide Products*, but we expect to send them out in the near future. We are implementing the policy through our registration process as part of the normal process of label mitigation that we work out with the company revising labels to include risk mitigation measures that we work on with pesticide companies.

We also will be implementing the policy through our <u>registration review process</u> as we revise labels.

From: Steve Davies [mailto:steve@agri-pulse.com]
Sent: Thursday, September 14, 2017 10:41 AM
To: Daguillard, Robert < Daguillard. Robert@epa.gov>

Subject: Re: Pollinator label language

No deadline. If I get anything, that would form the basis for the story, I hope.

-----

Steve Davies Associate Editor 202-744-1535 steve@agri-pulse.com

Agri-Pulse Communications, Inc.

1400 Independence Ave. SW, Room 1639

Washington, DC 20250

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On Thu, Sep 14, 2017 at 10:10 AM, Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u>> wrote: Hey Steve,

Happy to look into this for you. Are you on a firm deadline, or will our response make the story, so to speak?

From: Steve Davies [mailto:steve@agri-pulse.com]
Sent: Thursday, September 14, 2017 9:41 AM

To: Press < Press@epa.gov>; Daguillard, Robert < Daguillard.Robert@epa.gov>

Subject: Pollinator label language

Hi Robert, et al.

I'm trying to find out how far EPA has progressed in coming up with revised language for pesticide labels to mitigate acute risk to bees. Has the agency issued final letters to registrants?

Could I get any letters that have already gone out?

From the <u>January policy document</u>: "Over the following 4 months, EPA will send letters to registrants, who have agricultural products containing active ingredients identified in Group 1, regarding (i) the acute risk mitigation labeling EPA believes is necessary to ensure that the product provides appropriate mitigation of acute risks to managed bees, and (ii) the revised Environmental Hazards labeling."

Seife v. EPA (1:19-cv-05190)

9.1.2020

Also:

Once EPA has completed processing the revised labels for pesticide products that contain active ingredients in Group 1, the EPA will then issue **letters** to registrants who have agricultural product(s) containing active ingredients identified in Group 2, and later, to those registrants who have agricultural products containing active ingredients identified in Group 3.

I'd like to get all the letters issued thus far, and any responses from registrants. Big ask, I know, but isn't this stuff considered public record?

Thanks

Steve

Steve Davies Associate Editor 202-744-1535 steve@agri-pulse.com

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From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 6/12/2017 6:38:43 PM

**To**: Paul Gander [paul@gander123.plus.com]

**CC**: Press [Press@epa.gov]

**Subject**: RE: silver/silver ion technology in food packaging

Paul, for attribution to "an EPA spokesperson," please:

EPA's response to a petition for rulemaking on nanoscale silver in March 2015 describes current legal authorities, policies and practices pertaining to the regulation of pesticides containing nanosilver. We will continue to address concerns of potentially different toxicity profiles as we access macroscale and nanoscale silver ingredients that are distributed for pesticidal purposes. Details on this petition for nanosilver and EPA's response may be found in the docket for this action at <a href="https://www.regulations.gov">www.regulations.gov</a>, Docket ID # <a href="https://www.regulations.gov">EPA-HQ-OPP-2008-0650</a>. Nanosilver toxicity was also considered by the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) Scientific Advisory Panel in November of 2009. Learn more about those discussions: Final Meeting Minutes.

From: Paul Gander [mailto:paul@gander123.plus.com]

Sent: Thursday, May 25, 2017 11:46 AM

To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: silver/silver ion technology in food packaging

Robert,

The publication is Plastics in Packaging magazine, which has an international readership.

By the way, I found this on the Milliken Chemical website, referring to one of its additives, SelectSilver (<a href="http://millikenchemical.com/selectsilver-antimicrobial-additive/">http://millikenchemical.com/selectsilver-antimicrobial-additive/</a>):

In the United States (US), SelectSilver SR12 Antimicrobial Agent is intended for use solely to control pathogenic microorganisms in or on medical devices, as defined in section 201 of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. § 321. When sold or distributed in the US for such purpose, SelectSilver SR12 Antimicrobial Agent is not regulated as a pesticide product by the US Environmental Protection Agency (EPA) under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Accordingly, to avoid EPA's registration, labeling, and other requirements for pesticide products under FIFRA, US buyers of SelectSilver SR12 Antimicrobial Agent should sell, distribute, and use it solely to control pathogenic microorganisms in or on medical devices and should not promote it for any other purpose.

I think this is where I got the idea that silver is regulated as a pesticide (outside the area of medical devices, apparently).

Thanks for following up.

Kind regards,

Paul

Paul Gander Freelance journalist On 25/05/2017 14:24, Daguillard, Robert wrote:

Thank you, Paul. Just a quick word to acknowledge receipt of your questions. Thank you also for your deadline. Could you do me a favor and remind me what outlet you are researching this story for?

Very best, R.

Robert Daguillard
U.S Environmental Protection Agency
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Ex. 6 Personal Privacy (PP) (m)

On May 25, 2017, at 7:33 AM, Paul Gander < <u>paul@gander123.plus.com</u> > wrote:

Hello Robert,

We spoke yesterday regarding my research into silver, nano-silver and silver ion technology, used as an antimicrobial agent in food-contact packaging. It would be great to get 'chapter and verse' on any regulation and/or advice on its use - both in terms of overall toxicity and (via the FDA, if necessary) on its status with regard to packaging.

I would really need any input from the EPA for a week's time (Friday, 2 June). It any comments could be attributable to one of your experts, that would be even better.

If you have any suggestions regarding contacts at the FDA who might be able to help with the food-contact side, I'd be very grateful for that.

### My questions:

- 1. <u>Regulation/guidance</u>. What, if any, regulation and/or guidance exists regarding the various permutations of silver and its status as a toxin (or not, as the case may be)? When was any regulation/guidance issued? I saw somewhere a reference to silver being regulated (or controlled) as a pesticide could that be another option? And if so, what are the implications?
- 2. <u>Nano-silver</u>. I found this from the International Risk Management Institute (IRMI), dated 2012: <u>https://www.irmi.com/articles/expert-commentary/epareview-process-may-cloud-nanosilvers-future</u>

This seems to imply that nano-silver, specifically, is subject to an EPA registration/review process. If so, what are the implications for new applications of nano-silver?

Any insights you can provide would be very welcome!

Thanks.

Kind regards,

## Paul

---

Paul Gander Freelance journalist +44 20 8671 4308

From: Elvina Nawaguna [ElvinaNawaguna@cqrollcall.com]

**Sent**: 6/12/2017 6:28:18 PM

To: Press [Press@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]

Subject: FW: 1PM Embargo: EPN Budget Analysis for Today's Press Call

Attachments: EPN Overview of EPA FY18 Budget final with contacts.pdf

Hi Liz,

Any chance I'd get a response from Admin. Pruitt or his office on some of the criticisms in this report by former EPA officials on the budget request? I'm working on a deadline of 3:30 p.m. thanks.

Elvina Nawaguna
Energy and Environment Reporter
CQ Roll Call
1625 Eye St. NW #200
Washington, DC 20006
Cell: Ex.6 Personal Privacy (PP)



Desk: 202-650-6597

From: Liz Purchia Gannon [mailto:liz@riffcitystrategies.com]

**Sent:** Monday, June 12, 2017 12:00 PM

To: Liz Purchia Gannon

Subject: 1PM Embargo: EPN Budget Analysis for Today's Press Call

Under embargo until 1PM ET, attached is the budget analysis created by the Environmental Protection Network that is being released today and will be discussed on the call at 1PM.

EPN is a newly formed bipartisan network of scientists, lawyers, economists, engineers and policy experts who carried out the day to day functions at EPA over many years and numerous administrations that moved our country toward cleaner air and water, cleaned up contaminated sites and started the progress toward greenhouse gas reductions.

Unfortunately, EPN does not have a website at this time to provide a web link. The participants can speak more about the future of EPN.

Dial-in: Ex. 6 Personal Privacy (PP)
Pin: Ex. 6 Personal Privacy (PP)

On Mon, Jun 12, 2017 at 8:52 AM Liz Purchia Gannon < liz@riffcitystrategies.com > wrote:

In advance of EPA Administrator Scott Pruitt's budget hearing on Thursday, the Environmental Protection Network, a bi-partisan network of former EPA employees and related federal and state agencies, will host a press call at 1PM today to release the findings of their budget analysis.

The budget analysis will be shared at 12PM

# Former EPA Staff Host Press Call to Release FY18 Budget Analysis in Advance of Administrator Pruitt's Senate Hearing

(Washington, D.C)-- Monday, June 12, three days before Environmental Protection Agency (EPA) Administrator Scott Pruitt's Senate Hearing on the FY18 EPA budget, the co-founders and board members of the Environmental Protection Network, a bi-partisan network of former EPA employees and related federal and state agencies, will host a press call to release the findings of their budget analysis. Their analysis highlights how deep cuts to the EPA will devastate the health and well-being of American families and children. The speakers will call for more robust EPA funding so it can address ongoing and future challenges and meet the responsibilities Congress gave it over many years.

Trump's budget proposes a 31 percent cut to the EPA, but the real cuts are in the range of 42% after accounting for level funding of two large water infrastructure grant programs. This undermines vital programs that clean up contaminated sites and have over the years cleaned America's air and water. Trump's budget dis-empowers the agency and disables it from doing it's job, putting families at increased risk from toxic air pollution, lead in drinking water and smog associated with cancer and asthma attacks.

What: Press call featuring the co-founders and board members of the Environmental Protection Network to discuss the findings of their budget analysis document

When: Monday June 12, 2017 at 1:00pm ET

Who:

- George Wyeth, former EPA attorney who was at the agency for 27 years, holding positions in the General Counsel's office, the Policy Office and the Enforcement Office.
- Ruth Greenspan Bell, former EPA Assistant General Counsel for Toxics and Water, more recently working on climate policy in Washington, DC think-tanks.
- Caroline Isber, co-founder and member of the Board of EPN, former staffer at EPA, the White House Council on Environmental Quality, NOAA, HHS and NIH
- Sally Ericsson, former Associate Director for Natural Resources, Energy and Science at OMB and former Associate Director for Natural Resources at the White House Council on Environmental Quality

Dia -in: Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Reporters should dial in 5-10 minutes before the beginning of the call.

###

Liz Purchia Gannon
Riff City Strategies
I San Francisco + Des Moines
Ex. 6 Personal Privacy (PP) cell

Liz Purchia

Liz Purchia Gannon

<u>Riff City Strategies</u> I San Francisco + Des Moines

[Ex. 6 Personal Privacy (PP)] cell

@LizPurchia

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From: Valentine, Julia [Valentine.Julia@epa.gov]

**Sent**: 6/11/2017 11:40:14 PM

To: Joyce, Stephen [sjoyce@bna.com]

**CC**: Press [Press@epa.gov]

**Subject**: Re: reporter query -- financing options

### Hi Steve --

For attribution to an agency spokesperson: EPA has not yet reviewed the Environmental Working Groups map. The Agency is currently evaluating information on PFCs to determine whether they should be regulated under the Safe Drinking Water Act.

Thanks

On Jun 8, 2017, at 8:40 PM, Joyce, Stephen < sioyce@bna.com > wrote:

okay

# Stephen Joyce

Staff Correspondent

# **Bloomberg BNA**

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sjoyce@bna.com
@lstephenjoycejr

bna.com

From: Valentine, Julia < Valentine. Julia@epa.gov>

Sent: Thursday, June 8, 2017 18:36

To: Joyce, Stephen

Cc: Lynn, Tricia; Jones, Enesta

Subject: Re: reporter query -- financing options

Hi Steve,

I hoped we could get back to you tonight but it looks like that won't happen. Will hopefully get back to you tomorrow. Thanks

Julia P. Valentine Office of Media Relations 202.564.2663 Sent from USEPA iPhone

On Jun 8, 2017, at 3:28 PM, Joyce, Stephen <<u>sjoyce@bna.com</u>> wrote:

Stephen JOYCE +1 312 602 2565

Stephen Joyce
Staff Correspondent

## **Bloomberg BNA**

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@lstephenjoycejr

bna.com

From: Joyce, Stephen

Sent: Thursday, June 8, 2017 13:56

To: Jones, Enesta

Subject: Re: reporter query -- financing options [WARNING: DKIM validation failed] [WARNING: DKIM validation failed]

Hi Enesta,

I'm writing about this report

http://www.ewg.org/research/mapping-contamination-crisis

EPA does have a health advisory on these substances

but not regulatory regime. Is the EPA contemplating

adding them to the Safe Drinking Water Act?

When is the last time a chemical was added to the SDWA?

Writing on this today. Thanks as always,

Stephen

er 8 3

# Stephen Joyce

Staff Correspondent

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@lstephenjoycejr

bna.com

From: Jones, Enesta < Jones. Enesta@epa.gov>

**Sent:** Tuesday, April 4, 2017 16:02

To: Joyce, Stephen

Subject: Re: reporter query -- financing options [WARNING: DKIM validation failed] [WARNING: DKIM validation failed]

Hi Stephen, too late for responses?

Enesta Jones U.S. EPA Office of Media Relations

Office: 202.564.7873
Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

On Mar 14, 2017, at 6:55 PM, Joyce, Stephen <sjoyce@bna.com> wrote:

I'll be waiting for the responses. Is there a web page somewhere on <a href="mailto:epa.gov">epa.gov</a> that will explain how WIFIA and the state revolving funds work and are funded? I can get a head start.

Have fun! If you're flying hope you can into the air.

Stephen

Stephen Joyce

Staff Correspondent

## **Bloomberg BNA**

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sjoyce@bna.com
@lstephenjoycejr

bna.com

From: Jones, Enesta < Jones. Enesta@epa.gov>

Sent: Tuesday, March 14, 2017 15:08

**To:** Joyce, Stephen **Cc:** Jones, Enesta

Subject: Re: reporter query -- financing options [WARNING: DKIM validation failed] [WARNING: DKIM

validation failed]

Hi Stephen, I start my vacation at 5 pm today and won't return until 3/23.

The responses to your inquiry are currently in review.

If you don't get responses while I'm out, please email <a href="mailto:press@epa.gov">press@epa.gov</a> and let them know you have been working with me on this inquiry and would like to know where things stand.

Thank you.

Enesta Jones U.S. EPA Office of Media Relations Office: 202.564.7873

Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

On Mar 9, 2017, at 4:58 PM, Joyce, Stephen <sjoyce@bna.com> wrote:

Thanks for the heads up. Trying to do both the daily stories and the longer-term

ones is a time challenge and as much as I don't like it I'm going to have to work

over this weekend, when the phones and news cycle are quiet.

If you can get me the responses by Friday (or Saturday) I can work them into the

draft I hope to complete by Sunday night. If not, I can incorporate your data

into the thing on Monday.

Thanks for sticking with me.

\*>>>>>>>>>>>>>>>

# Stephen Joyce

**Staff Correspondent** 

### **Bloomberg BNA**

direct +1 312 602 2565
mobile Ex. 6 Personal Privacy (PP)
sjoyce@bna.com
@lstephenjoycejr

bna.com

From: Jones, Enesta < Jones. Enesta@epa.gov>

Sent: Thursday, March 9, 2017 15:54

To: Joyce, Stephen

**Subject:** Re: reporter query -- financing options [WARNING: DKIM validation failed]

[WARNING: DKIM validation failed]

Hi Stephen, our responses are in review.

Should you need them tomorrow when I'm out, please ping press@epa.gov

Let them know you understand from me that they're under review.

If there's no rush, I return on Monday.

Have a great weekend.

Enesta Jones
U.S. EPA
Office of Media Relations
Office: 202.564.7873
Cell: Ex. 6 Personal Privacy (PP)

**----**

"The root of all joy is gratefulness."

On Mar 7, 2017, at 9:35 AM, Joyce, Stephen < sjoyce@bna.com > wrote:

Story is on what Midwestern cities are doing to mitigate possible negative

effects of lead pipes on drinking water.

If municipalities want to replace them, I am trying to find out how they can

do that. Some people I've spoken to said: WIFIA and SRFs.

So, I want to know how those two instruments are being used, or could be

used, by cities to pay for the replacement of lead pipes.

Trying to finish this story by Friday 10th March.

# Stephen Joyce

**Staff Correspondent** 

### **Bloomberg BNA**

direct +1 312 602 2565 mobile Ex. 6 Personal Privacy (PP) sjoyce@bna.com @lstephenjoycejr

bna.com

Frame, Janes Enesta danes Enesta Gana days

From: Jones, Enesta < Jones. Enesta@epa.gov>

Sent: Tuesday, March 7, 2017 04:22

**To:** Joyce, Stephen **Cc:** Jones, Enesta

Subject: Re: reporter query -- financing options [WARNING: DKIM

validation failed]

Good day, Stephen, What are your specific questions, hard deadline -- and can you tell me more about your story?

Enesta Jones U.S. EPA Office of Media Relations Office: 202.564.7873

Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

On Mar 6, 2017, at 7:40 PM, Joyce, Stephen <sjoyce@bna.com> wrote:

Enesta hi,

I am hoping you or someone else can talk to me about

how states and cities/municipalities can use WIFIA

and state resolving funds to finance replacing lead service

lines sometime this week?

Stephen Joyce

Staff Correspondent

**Bloomberg BNA** 

direct +1 312 602 2565
mobile Ex. 6 Personal Privacy (PP)
sjoyce@bna.com
@lstephenjoycejr

bna.com

From: Valentine, Julia [Valentine.Julia@epa.gov]

**Sent**: 6/9/2017 9:45:24 PM

To: Kat Sieniuc [kat.sieniuc@law360.com]
CC: Press [Press@epa.gov]

Subject: Re: Law360

Hi Kat,

For attribution to an EPA spokesperson please: The agency is reviewing the letter.

Thanks

Julia P. Valentine Office of Media Relations 202.564.2663 Sent from USEPA iPhone

On Jun 9, 2017, at 5:25 PM, Kat Sieniuc <<u>kat.sieniuc@law360.com</u>> wrote:

Hi there,

Kat Sieniuc here with Law360. I'm writing about the AGs' letter, led by NYAG Eric Schneiderman, to EPA Administrator Pruitt re emissions standards.

Reaching out in case the EPA has a comment? Thanks much!

KS.

--

Kat Sieniuc Reporter

A LexisNexis® Company egal News & Data

Legal News & Data 111 W. 19th Street, 5th Floor New York, NY 10011 646 783 7132

Twitter: @katsieniuc

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

 Sent:
 6/9/2017 1:00:59 PM

 To:
 Ex. 6 Personal Privacy (PP)

 CC:
 Press [Press@epa.gov]

Subject: Subject: Wake Living Magazine Article

Dear Eryn, for attribution to U.S. EPA, please:

<u>EPA's campus in Research Triangle Park (RTP)</u>, North Carolina, houses 15 EPA Offices and 2,000+ professionals. The campus is home to EPA's STEM (science, technology, engineering, and math) Outreach Program which serves to engage the public in protecting human health and the environment by

- Developing relationships with local, regional, state, and national stakeholders
- Translating EPA science into hands-on activities and lessons for employees to use in the community, with an emphasis on K-12 schools with low-income populations
- Recruiting and training EPA employees to speak to K-12 students, at colleges/universities, and to the general
  public at schools, community events, and at EPA-RTP.

Through this program, more than 200 employees spend 1,500-2,000 hours annually, inspiring students with their passion for science, and sharing new STEM knowledge. Since the program began in 2004, we've clocked over 20,000 hours of volunteered time. The program provides guest speakers in preK-12 classrooms and universities, develops hands-on activities for employees to use to teach students about EPA science, provides STEM career role models through formal and informal mentoring, and supports local teacher development by participating in local, state, and national STEM education and training conferences.

In the community we partner with schools, and other organizations including Citizen Schools, US2020, the NC Science Festival, East Durham Children's Initiative, and the Wake County Boys and Girls Clubs to promote STEM and environmental education. We also staff booths at schools and community events such as career days, festivals, and museum science days; judge science competitions and mentor student teams; and serve as community leaders by participating on and chairing advisory councils. On our campus, we host an annual week-long summer workshop for local high school students and we host groups of students, teachers and community members to promote STEM education. In May 2016, we were awarded the US2020 Industry Partner of the Year for making a significant impact on RTP's STEM community during the 2015-16 school year by increasing access to STEM through focused volunteerism and on-site visits.

We pride ourselves on being adaptable to meet the needs of the public and in our ability to develop innovative activities and programs while maximizing our greatest resource: our employees. Employees can travel within 50 miles of the EPA-RTP campus.

From: Eryn Murphy [mailto Ex. 6 Personal Privacy (PP)

Sent: Saturday, June 3, 2017 9:33 AM

To: Harris-Young, Dawn < Harris-Young, Dawn@epa.gov>

Subject: Wake Living Magazine Article

Hello EPA Media Relations,

My name is Eryn Murphy and I'm an editorial assistant at Wake Living Magazine in Raleigh, NC.

We are currently working on an 3-page article about the charity work/non-profit work that global companies in Research Triangle Park contribute to for our fall issue, which will be published Sept 1, 2017. Wake Living is a complimentary quarterly lifestyle magazine that is in its 18<sup>th</sup> year. Would the EPA be interested in contributing to the article?

Thank you so much and please let me know your interest at your earliest convenience.

Thank you,

Eryn

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 6/8/2017 4:53:02 PM

To: Sharon Riley [sriley@consumer.org]

**CC**: Press [Press@epa.gov]

Subject: RE: fact-checking Consumer Reports formaldehyde emissions

Sharon, for attribution to "an EPA spokesperson," please:

On December 12, 2016 the Environmental Protection Agency published a final rule that established among other requirements, the first national standards for formaldehyde emissions from composite wood products, including laminate flooring. The rule became effective May 22, 2017 and the date by which regulated entities must comply with the emission standards, recordkeeping and labeling provisions was recently proposed to be extended from December 12, 2017 to March 22, 2018; a rule to this effect was published in the Federal Register on May 24, 2017. The standards are the same as those in effect in the state of California.

Regards, R.

From: Sharon Riley [mailto:sriley@consumer.org]

Sent: Thursday, June 08, 2017 12:35 PM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

Subject: fact-checking Consumer Reports formaldehyde emissions

Hi, Robert,

We are shipping the magazine soon - possible to have confirmation?:

I am a fact-checker with Consumer Reports magazine working on a story about flooring with Sara Morrow Harcourt (for our August issue).

The story includes information on the EPA's finalized national standard for formaldehyde emissions from composite wood products.

Can you please confirm that the following information is correct?:

The Environmental Protection Agency recently finalized the first national standards for formaldehyde emissions from composite wood products, including flooring. The new standards will go into effect on March 22, 2018. These standards will be consistent with those in effect in the state of California.

Thank you for your help.

If it is possible to have a response today, it would be appreciated.

Sincerely,

Sharon Riley

Sharon MacBride Riley Senior Editorial Researcher (914) 378-2767 sriley@consumer.org

## Cr.org



Smarter choices for a better world

--

Sharon MacBride Riley Senior Editorial Researcher (914) 378-2767 <a href="mailto:sriley@consumer.org">sriley@consumer.org</a> <a href="mailto:Cr.org">Cr.org</a>

**ConsumerReports** 

Smarter choices for a better world

\*\*\*

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\*\*\*

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 6/7/2017 3:56:15 PM

**To**: Mike Ludwig [mike@truthout.org]

**CC**: Press [Press@epa.gov]

Subject: RE: Media Request - State AG's lawsuit against chlorpyrifos order

Mike, for attribution to "an EPA spokesperson," please, but the agency doesn't normally comment on pending litigation.

Additional background, also for agency attribution, please: The matter you are referring to is the filing of administrative objections by seven state attorneys general under the Federal Food, Drug and Cosmetic Act (FFDCA) to EPA's March 29, 2017, order denying the petition of the Pesticide Action Network and the Natural Resources Defense Council. EPA will review and consider these and any other objections filed in response to the March 29 order and will complete that review in accordance with the requirements of FFDCA section 408(g).

**From:** Mike Ludwig [mailto:mike@truthout.org] **Sent:** Wednesday, June 07, 2017 11:45 AM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

Subject: Re: Media Request - State AG's lawsuit against chlorpyrifos order

Thanks, I'm see now that the state AG's filed an administrative challenge, not a lawsuit, but they do charge that the order is illegal and in violation of recent court

decisions: https://ag.ny.gov/sites/default/files/2017 06 05 objections final.pdf

On Wed, Jun 7, 2017 at 10:39 AM, Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u>> wrote:

Hullo Mike,

Just acknowledging receipt.

Thanks, R.

From: Mike Ludwig [mailto:mike@truthout.org]
Sent: Wednesday, June 07, 2017 11:37 AM

To: Daguillard, Robert < Daguillard.Robert@epa.gov>

Subject: Media Request - State AG's lawsuit against chlorpyrifos order

Hello, my name is Mike Ludwig, I'm a reporter for Truthout.org. I'm covering the lawsuit detailed in the press release below, would EPA like to comment? In particular and as I understand it, these state AG's contend that an EPA order in March allowing continued use of chlorpyrifos on food crops violates the Food Drug and Cosmetic Act because current exposure thresholds on food are not shown to be safe. Was the March order legal, and will EPA defend it in court?

Please feel free to give me a call at [Ex. 6 Personal Privacy (PP)] or shoot me a statement in an email, I do have a deadline this afternoon. Thank you for your time.

- Mike Ludwig

http://www.biologicaldiversity.org/news/press\_releases/2017/pesticides-06-06-2017b.php



### CENTER for BIOLOGICAL DIVERSITY

Because life is good.

For Immediate Release, June 6, 2017

Contact: Brett Hartl, (202) 817-8121 bhartl@biologicaldiversity.org

# Seven States Challenge Trump EPA Decision Approving Brain-damaging Pesticide

# State Attorneys General Question Legality of Sudden Reversal of Planned Ban on Chlorpyrifos

WASHINGTON— Attorneys general from seven states announced today they are challenging the decision by Environmental Protection Agency Administrator Scott Pruitt to approve ongoing use of chlorpyrifos, a dangerous pesticide known to cause brain damage in children.

"There's a good reason this dangerous toxin has been banned from indoor use for more than a decade and the EPA's own scientists recommended ending its use on food," said Brett Hartl, government affairs director at the Center for Biological Diversity "There is no question that this pesticide causes serious harm to people and wildlife so there should be no question that it should be banned, period."

In November 2016 the EPA announced a plan to ban use of the pesticide on food crops. But shortly after taking over as the agency's administrator earlier this year, Scott Pruitt announced, with no explanation, a reversal of this recommendation and allowed the continued use of the pesticide.

The seven attorneys general charge that the EPA wrongly approved the continued use of this dangerous pesticide on fruits and vegetables without first assessing its safety as required under the U.S. Food, Drug, and Cosmetic Act. Today's challenge was filed by attorneys general from New York, California, Maine, Maryland, Massachusetts, Washington and Vermont. <u>Click here to read the filing.</u>

In the weeks following Pruitt's reversal, Dow Chemical requested that the EPA abandon its legally mandated requirements to assess the impacts of chlorpyrifos on endangered species and indefinitely delay implementing common sense measures to protect them.

Dow's back-channel campaign to get the agency to abandon a nearly four-year effort to protect endangered species from these pesticides is revealed in <u>letters</u> in which Dow urges the Trump administration and Pruitt to withdraw "biological evaluations" that were finalized in January detailing how three highly toxic organophosphate insecticides — chlorpyrifos, malathion and diazinon — harm nearly all 1,800 threatened and endangered animals and plants.

Over the past six years, Dow has <u>donated</u> \$11 million to congressional campaigns and political action committees and spent an additional \$75 million lobbying Congress. In Dow was one of three companies that donated \$1 million to the Trump inauguration.

"The Trump administration is putting our children and our most endangered wildlife at risk simply to pay off a political debt to Dow," said Hartl. "The stench from Trump's special-interest swamp is growing by the day."

Around 5 million pounds of chlorpyrifos are used in the United States every year on crops like corn, peanuts, plums and wheat. A recent study at the University of California at Berkeley <u>found</u> that 87 percent of umbilical-cord blood samples tested had detectable levels of chlorpyrifos.

The Center for Biological Diversity is a national, nonprofit conservation organization with more than 1.3 million members and supporters dedicated to the protection of endangered species and wild places.

Alaska - Arizona - California - Florida - Minnesota - Nevada - New Mexico - New York - Oregon - Vermont - Washington, DC P.O. Box 710 - Tucson, AZ 85702-0710 - tel: (520) 623.5252 - fax: (520) 623.9797 - www.BiologicalDiversity.org

If you prefer not to receive press releases from the Center for Biological Diversity, please reply to this message and let us know

Andy Parker

Media Specialist, Environmental Health Program

Center for Biological Diversity

aparker@biologicaldiversity.org

503-310-5569

--

Mike Ludwig

Truthout Reporter Mike@truthout.org www.Truthout.org

Mike Ludwig
Truthout Reporter
Mike@truthout.org
www.Truthout.org

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 6/7/2017 12:49:27 PM

**To**: Jenni Bergal [jbergal@pewtrusts.org]

**CC**: Press [Press@epa.gov]

Subject: RE: Press Inquiry - DEADLINE QUESTION

Jenni, for attribution to "an EPA spokesperson," please:

Please see the OAQPS Trends report here: <a href="https://gispub.epa.gov/air/trendsreport/2016/">https://gispub.epa.gov/air/trendsreport/2016/</a>

You can scroll down to the graph titled Comparison of Growth Areas and Emissions 1970-2015 where we can see that emissions of the six common pollutants have dropped 71% since 1970 while vehicle miles traveled has increased 187%.

You can say however, that GHG emissions have increased. From 1990 – 2014 greenhouse gas Emissions from on road vehicles increased by 24%. Here is the reference: <a href="https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockey=P100ONBL.pdf">https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockey=P100ONBL.pdf</a>

For more information, you can also visit: <a href="https://www.epa.gov/npdes/stormwater-discharges-transportation-sources">https://www.epa.gov/npdes/stormwater-discharges-transportation-sources</a>

From: Jenni Bergal [mailto:jbergal@pewtrusts.org]

Sent: Tuesday, June 06, 2017 11:50 AM

To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Valentine, Julia <Valentine.Julia@epa.gov>
Subject: RE: Press Inquiry - DEADLINE QUESTION

No - thought EPA could answer this very easily...

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]

**Sent:** Tuesday, June 06, 2017 11:09 AM

**To:** Jenni Bergal **Cc:** Valentine, Julia

Subject: RE: Press Inquiry - DEADLINE QUESTION

Jenni, we'll look into this for you. Meantime, have you reached out to the Federal Highway Administration?

From: Jenni Bergal [mailto:jbergal@pewtrusts.org]

Sent: Tuesday, June 06, 2017 10:55 AM

**To:** Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u>> **Subject:** RE: Press Inquiry - DEADLINE QUESTION

Hi, Robert,

3 p.m. today is the deadline.

I know the question sounds pretty simple, but my editor tweaked the sentence and I need to make sure that it's correct that highways are more polluted nowadays than they were 60-odd years ago because there are more cars and trucks.

Thanks much,

Jenni

#### Jenni Bergal

Senior Staff Writer, Stateline

The Pew Charitable Trusts
901 E Street, NW, Washington, DC 20004
p: 202-540-6872 | e: jbergal@pewtrusts.org | www.pewtrusts.org

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From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]

**Sent:** Tuesday, June 06, 2017 10:07 AM

To: Jenni Bergal; Press

Subject: RE: Press Inquiry - DEADLINE QUESTION

Good morning Jenni,

A quick word to acknowledge receipt. Sorry if I missed anything, but what's your hard deadline?

Regards, R.

From: Jenni Bergal [mailto:jbergal@pewtrusts.org]

Sent: Tuesday, June 06, 2017 10:00 AM

To: Press < Press@epa.gov >

Subject: FW: Press Inquiry - DEADLINE QUESTION

Hì,

Since Enesta isn't in, can you please help with this?

Thanks,

## Jenni Bergal

Senior Staff Writer, Stateline
The Pew Charitable Trusts
901 E Street, NW, Washington, DC 20004
p: 202-540-6872 | e: jbergal@pewtrusts.org | www.pewtrusts.org

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From: Jenni Bergal

**Sent:** Tuesday, June 06, 2017 9:58 AM

To: 'Jones, Enesta'

Subject: RE: Press Inquiry about highway pollution - DEADLINE QUESTION

Hi, Enesta,

I finished my story but just wanted to see if you could run this by someone there, to make sure it's accurate.

Thanks much,

Jenni

Since the federal highway system was created, highways have become dirtier, as toxic emissions from more cars and trucks have polluted the air and storm water runoff mixed with oil, gas and road materials have tainted the groundwater.

## Jenni Bergal

Senior Staff Writer, Stateline
The Pew Charitable Trusts
901 E Street, NW, Washington, DC 20004
p: 202-540-6872 | e: |bergal@pewtrusts.org | www.pewtrusts.org

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From: Jones, Enesta [mailto:Jones.Enesta@epa.gov]

**Sent:** Friday, May 26, 2017 12:53 PM

To: Jenni Bergal

Subject: Re: Press Inquiry about Air Toxics (PAH)

Thanks. Have a great holiday weekend.

Enesta Jones
U.S. EPA
Office of Media Relations
Office: 202.564.7873
Cell: Ex. 6 Personal Privacy (PP)

On May 26, 2017, at 12:51 PM, Jenni Bergal <a href="mailto:sipergal@pewtrusts.org">jergal@pewtrusts.org</a> wrote:

Sure.

Appreciate your help.

Thanks, Jenni

From: Jones, Enesta [mailto:Jones.Enesta@epa.gov]

Sent: Friday, May 26, 2017 12:49 PM

To: Jenni Bergal

Subject: Re: Press Inquiry about Air Toxics (PAH)

Hi Jenni,

Since your deadline is Tuesday, right, let me get back to you then.

Ok?

Enesta Jones U.S. EPA

<sup>&</sup>quot;The root of all joy is gratefulness."

# Office of Media Relations

Office: 202.564.7873
Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

On May 26, 2017, at 12:44 PM, Jenni Bergal <a href="mailto:sipergal@pewtrusts.org">jergal@pewtrusts.org</a> wrote:

Thanks. Still not exactly clear what it says or how I can simply throw in a line about the number of tons of CO2 used on highways..... thnx

**From:** Jones, Enesta [mailto:Jones.Enesta@epa.gov]

**Sent:** Friday, May 26, 2017 9:51 AM

To: Jenni Bergal

**Subject:** Re: Press Inquiry about Air Toxics (PAH)

Please see table 2-13 of the report

here: https://www.epa.gov/sites/production/files/2017-

02/documents/2017 complete report.pdf

Note: This is for the full transportation sector.

Enesta Jones
U.S. EPA
Office of Media Relations
Office: 202.564.7873
Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

On May 26, 2017, at 9:48 AM, Jenni Bergal <a href="mailto:sipergal@pewtrusts.org">jergal@pewtrusts.org</a> wrote:

Hi, Enesta,

Sorry – didn't see your second note before I replied.

I'm not an environmental reporter and looking at that report, I had no idea whether it had info about the amount of CO2 emitted on highways.

Is there someone who could point me to it?

The Georgia Tech report used a 2009 figure but it was specifically about highways and they credited it to the EPA.

Thanks,

Jenni

## Jenni Bergal

Interested in state policy? <u>Sign up</u> for Stateline's daily/weekly newsletters

From: Jones, Enesta [mailto:Jones.Enesta@epa.gov]

**Sent:** Friday, May 26, 2017 9:45 AM

To: Jenni Bergal

**Subject:** Fwd: Press Inquiry about Air Toxics (PAH)

Please see below.

Enesta Jones
U.S. EPA
Office of Media Relations
Office: 202.564.7873
Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

## Begin forwarded message:

Resent-From: < Press@epa.gov>

From: "Jones, Enesta" < Jones. Enesta@epa.gov>

**Date:** May 25, 2017 at 5:52:59 PM EDT **To:** Jenni Bergal <a href="mailto:jbergal@pewtrusts.org">jbergal@pewtrusts.org</a>

Cc: Press < Press@epa.gov>

Subject: RE: Press Inquiry about Air Toxics (PAH)

Hi Jenni,

Please see our GHG Inventory:
https://www.epa.gov/sites/production/files/2017-

02/documents/2017\_complete\_report.pdf

Note: This is for the full transportation sector.

Enesta Jones U.S. EPA

# Office of Media Relations

Office: 202.564.7873
Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

From: Jenni Bergal [mailto:jbergal@pewtrusts.org]

Sent: Thursday, May 25, 2017 5:07 PM

To: Jones, Enesta < Jones. Enesta@epa.gov >
Subject: Press Inquiry about Air Toxics (PAH)

Hi, Enesta,

I'm a reporter for Stateline in DC. We're a news organization that covers issues affecting state government.

I'm working on a story about highways of the future and wanted to throw in a line about the number of tons of CO2 emitted on highways every year.

I saw a report by Georgia Tech that said 5,424 million (not sure what that number means, exactly) in 2009, but that was pretty old.

Is there a more recent figure?

Or something else that I could use to show how highways pollute the atmosphere through harmful emissions from vehicles and toxic road materials? Thanks very much,

### Jenni Bergal

Senior Staff Writer, Stateline
The Pew Charitable Trusts
901 E Street, NW, Washington, DC 20004
p: 202-540-6872 | e: jbergal@pewtrusts.org
| www.pewtrusts.org

Interested in state policy? <u>Sign up</u> for Stateline's daily/weekly newsletters

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 6/6/2017 6:11:41 PM

**To**: Dorothy Atkins [dorothy.atkins@law360.com]

**CC**: Press [Press@epa.gov]

Subject: RE: Law360 Request for Comment

Dorothy, for attribution to "an agency spokesperson," please, but the EPA doesn't comment on pending litigation.

Useful background, also for agency attribution: The matter you are referring to is the filing of administrative objections by seven state attorneys general under the Federal Food, Drug and Cosmetic Act (FFDCA) to EPA's March 29, 2017, order denying the petition of the Pesticide Action Network and the Natural Resources Defense Council. EPA will review and consider these and any other objections filed in response to the March 29 order and will complete that review in accordance with the requirements of FFDCA section 408(g).

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP)

From: Dorothy Atkins [mailto:dorothy.atkins@law360.com]

Sent: Tuesday, June 06, 2017 12:54 PM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

Subject: Re: Law360 Request for Comment

I plan to file in the next 15 minutes or so, but I can update my story with comment when I receive it.

On Tue, Jun 6, 2017 at 12:43 PM, Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u>> wrote:

Thanks, Dorothy. What's your deadline, please?

From: Dorothy Atkins [mailto:dorothy.atkins@law360.com]

Sent: Tuesday, June 06, 2017 11:56 AM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

Subject: Law360 Request for Comment

Hi Robert,

I'm a reporter at Law360 working on a story on a challenge filed by a coalition of attorneys general to the EPA's March 29 order delaying proposed rules that would restrict the use of chlorpyrifos on food. I just wanted to reach out and see if the EPA would like to comment on the challenge. I attached a copy of it for reference.

Regards,

Dorothy Atkins

--

Dorothy M. Atkins

Court Reporter

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Dorothy M. Atkins Court Reporter

LAW 369)

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From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 6/6/2017 3:42:48 PM

**To**: Christopher Flavelle [cflavelle@bloomberg.net]

CC: Press [Press@epa.gov]
Subject: RE: Following up

Chris, for attribution to "an EPA spokesperson," please:

The \$8.5M level listed on page 12 of the *Budget in Brief* refers to the funding requested in the FY 2018 President's Budget proposal to support the GHG Reporting Registry. The \$13.58M level referenced later in the document is the request for the entire program project, which includes more than the registry. A more detailed description is available in the *Congressional Justification* on pp. 123-125: <a href="https://www.epa.gov/sites/production/files/2017-05/documents/fy-2018-congressional-justification.pdf">https://www.epa.gov/sites/production/files/2017-05/documents/fy-2018-congressional-justification.pdf</a>

From: Christopher Flavelle (BLOOMBERG/ WASHINGTO) [mailto:cflavelle@bloomberg.net]

Sent: Tuesday, June 06, 2017 9:47 AM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

**Cc:** Press <Press@epa.gov> **Subject:** RE: Following up

I don't know -- once it gets to the editors the timeline is hard to predict.

Christopher Flavelle

Climate policy reporter, Bloomberg News

cflavelle@bloomberg.net | @cflav

Direct line: 202-807-2202 Signal: Ex. 6 Personal Privacy (PP) 1101 New York Avenue NW Washington, DC, 20005

From: Daguillard.Robert@epa.gov At: 06/06/17 09:32:41

To: Christopher Flavelle (BLOOMBERG/ WASHINGTO)

Cc: Press@epa.gov

Subject: RE: Following up

Hullo Chris. Yes, we're on it.

What's the very latest we can get back to you in case we don't make the noon deadline. Any way you can update your story, for instance?

Regards, R.

From: Christopher Flavelle (BLOOMBERG/ WASHINGTO) [mailto:cflavelle@bloomberg.net]

Sent: Tuesday, June 06, 2017 9:21 AM

To: Daguillard, Robert < Daguillard.Robert@epa.gov >

Cc: Press < Press@epa.gov>
Subject: Following up

Wanted to make sure you got this. I'm filing at noon.

Sent from Bloomberg Professional for iPhone

Christopher Flavelle
Climate policy reporter, Bloomberg News
cflavelle@bloomberg.net | @cflav

Direct line: 202-807-2202 Signal: Ex.6 Personal Privacy (PP) 1101 New York Avenue NW Washington, DC, 20005

---- Original Message -----

From: CHRISTOPHER FLAVELLE To: <a href="mailto:Daguillard.Robert@epa.gov">Daguillard.Robert@epa.gov</a>

CC: Jones.Enesta@epa.gov, Press@epa.gov

At: 05-Jun-2017 21:57:21

Thanks Robert. Which figure is correct -- \$8.5 million or \$13.6 million?

Sent from Bloomberg Professional for iPhone

Christopher Flavelle Climate policy reporter, Bloomberg News

<u>cflavelle@bloomberg.net</u> | @াৰি

Direct line: 202-807-2202 Signal: Ex. 6 Personal Privacy (PP) 1101 New York Avenue NW Washington, DC, 20005

---- Original Message -----

From: Robert Daguillard < <u>Daguillard.Robert@epa.gov</u>>

To: CHRISTOPHER FLAVELLE

CC: Jones.Enesta@epa.gov, Press@epa.gov

At: 05-Jun-2017 21:46:44

Chris, for attribution to "an EPA spokesperson," please:

EPA is evaluating different approaches to implementing the President's budget that would allow us to effectively serve the taxpayers and protect the environment. While many in Washington insist on greater spending, EPA is focused on greater value and results. The EPA will partner with the states to ensure a thoughtful approach is used to maximize every dollar to protect our air, land, and water.

Robert Daguillard

U.S Environmental Protection Agency

Office of Media Relations

Washington D.C.

+ 1 (202) 564-6618 (o)

Ex. 6 Personal Privacy (PP) (M)

On Jun 5, 2017, at 7:21 PM, Christopher Flavelle (BLOOMBERG/ WASHINGTO) < cflavelle@bloomberg.net > wrote:

Following up on this.

From: Christopher Flavelle (BLOOMBERG/ WASHINGTO) At: 06/05/17 14:53:23

To: Jones. Enesta@epa.gov

Cc: Press@epa.gov

Subject: Fwd:Re: Media request -annual greenhouse gas Inventory

Thanks Enesta. End of the day would be great.

Sent from Bloomberg Professional for iPhone

Christopher Flavelle Climate policy reporter, Bloomberg News

cflavelle@bloomberg.net | @cflav

Direct line: 202-807-2202 Signal: Ex. 6 Personal Privacy (PP) 1101 New York Avenue NW Washington, DC, 20005

---- Original Message ---From: Enesta Jones
<Jones.Enesta@epa.gov>
To: CHRISTOPHER FLAVELLE

CC: <u>Press@epa.gov</u> At: 05-Jun-2017 14:51:52

Hi Chris,

What's your firm deadline?

Robert Daguillard will help you today since Tricia Lynn is out.

**Enesta Jones** 

U.S. EPA

Office of Media Relations

Office: 202.564.7873

Cell: Ex. 6 Personal Privacy (PP)

# "The root of all joy is gratefulness."

On Jun 5, 2017, at 2:38 PM, Christopher Flavelle (BLOOMBERG/ WASHINGTO) <<u>cflavelle@bloomb</u> <u>erg.net</u>> wrote:

> I'm work ing on a piec е abou t chan ges to GHG emis sion S moni tori ng prog rams and I wond ered if some body ther е coul d

answ er the foll owin g:

What leve 1 of fund ing does the FY18 budg et requ est prop ose for the Gree nhou se Gas Repo rtin g prog ram? Page 12 of the budg et docu ment says FY18 fund ing woul d be \$8.5 mill

ion,

but page 67 of the same docu ment says \$13. 58 mill ion. Whic h of thos е figu res is corr ect?

Usin g the data on page 67 alon e, it seem fund ing for this prog ram woul d be redu ced 86 perc ent. Demo

crat iс staf fers on the Hous е Scie nce Committe е said they re conc erne d the U.S. will no long er be able to meet its UNFC CC commitme nts with that leve 1 of cuts Does some body in your offi се want to resp

ond

to that Best Chri S Christ opher Flavell Climat 9 policy report er, Bloom berg News <u>cflavel</u> le@bl <u>oomb</u> erg.ne <u>t</u> | @cfla Direct line: 202-807-2202 Signal

Avenu e NW Washi ngton, DC, 20005

New York

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 6/6/2017 1:46:40 AM

**To**: Christopher Flavelle [cflavelle@bloomberg.net]

CC: Jones, Enesta [Jones.Enesta@epa.gov]; Press [Press@epa.gov]

**Subject**: Re: Media request -- annual greenhouse gas Inventory

Chris, for attribution to "an EPA spokesperson," please:

EPA is evaluating different approaches to implementing the President's budget that would allow us to effectively serve the taxpayers and protect the environment. While many in Washington insist on greater spending, EPA is focused on greater value and results. The EPA will partner with the states to ensure a thoughtful approach is used to maximize every dollar to protect our air, land, and water.

Robert Daguillard
U.S Environmental Protection Agency
Office of Media Relations
Washington D.C.
+ 1 (202) 564-6618 (o)
Ex. 6 Personal Privacy (PP) (m)

On Jun 5, 2017, at 7:21 PM, Christopher Flavelle (BLOOMBERG/ WASHINGTO) < cflavelle@bloomberg.net> wrote:

Following up on this.

From: Christopher Flavelle (BLOOMBERG/ WASHINGTO) At: 06/05/17

14:53:23

To: Jones. Enesta@epa.gov

Cc: Press@epa.gov

Subject: Fwd:Re: Media request -- annual greenhouse gas

Inventory

Thanks Enesta. End of the day would be great.

Sent from Bloomberg Professional for iPhone

Christopher Flavelle

Climate policy reporter, Bloomberg News

cflavelle@bloomberg.net | @cflav

Direct line: 202-807-2202
Signal: Ex. 6 Personal Privacy (PP)
1101 New York Avenue NW
Washington, DC, 20005

---- Original Message -----

From: Enesta Jones < Jones Enesta@epa.gov>

To: CHRISTOPHER FLAVELLE

CC: <u>Press@epa.gov</u> At: 05-Jun-2017 14:51:52

Hi Chris,

What's your firm deadline?

Robert Daguillard will help you today since Tricia Lynn is out.

Enesta Jones
U.S. EPA
Office of Media Relations
Office: 202.564.7873
Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

On Jun 5, 2017, at 2:38 PM, Christopher Flavelle (BLOOMBERG/ WASHINGTO) < cflavelle@bloomberg.net > wrote:

I'm working on a piece about changes to GHG emissions monitoring programs, and I wondered if somebody there could answer the following:

-What level of funding does the FY18 budget request propose for the Greenhouse Gas Reporting program? Page 12 of the budget document says FY18 funding would be \$8.5 million, but page 67 of the same document says \$13.58 million. Which of those figures is correct?

-Using the data on page 67 alone, it seems funding for this program would be reduced 86 percent. Democratic staffers on the House Science Committee said they're concerned the U.S. will no longer be able to meet its UNFCCC commitments with that level of

cuts. Does somebody in your office want to respond to that?

Best,

Chris

Christopher Flavelle
Climate policy reporter, Bloomberg News
cflavelle@bloomberg.net | @cflav
Direct line: 202-807-2202
Signal: Ex. 6 Personal Privacy (PP)
1101 New York Avenue NW
Washington, DC, 20005

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

Sent: 6/5/2017 7:06:27 PM
To: dreynolds@iwpnews.com
CC: Press [Press@epa.gov]

**Subject**: RE: Inquiry from Inside EPA newsletter about nanosilver ruling.

## Hullo David,

For attribution to "an EPA spokesperson," please:

"The court's judgment vacating the registration does not become effective until the court issues what is called a "mandate." Until the mandate is issued, therefore, the registration is still active."

# Begin forwarded message:

**Resent-From:** <<u>Press@epa.gov</u>>

From: David Reynolds <a href="mailto:dreynolds@iwpnews.com">dreynolds@iwpnews.com</a>>

Date: June 5, 2017 at 1:48:31 PM EDT

**To:** Press < Press@epa.gov>

Subject: Inquiry from Inside EPA newsletter about nanosilver ruling.

## Hello:

I'm working on a story for this afternoon about the U.S. Court of Appeals for the 9th Circuit's May 30 ruling vacating EPA's conditional registration of the pesticide NSPW-L30SS, formerly known as Nanosilva, which contains nanosilver.

Several people say that this ruling appears to require EPA to meet a higher standard for showing that a conditional pesticide registration is in the public interest, and so the agency would likely be inclined to seek an *en banc* review of the panel's decision.

I would like to ask what potential steps EPA may take in response to this ruling, and whether the agency plans to appeal the decision on *en banc*. If it is possible to provide a statement or if anyone could speak about the potential effects of this ruling on EPA's pesticide registration process, including future issuance of conditional registrations, please let me know.

I would appreciate any assistance you can provide.

Sincerely, Dave Inside EPA newsletter 703-416-8541

**From**: Graham, Amy [graham.amy@epa.gov]

**Sent**: 5/19/2017 8:34:38 PM

**To**: Stephen Dinan [sdinan@washingtontimes.com]

**CC**: Press [Press@epa.gov]

Subject: RE: Washington Times inquiry: Tijuana sewage spill

Here is a comment for attribution to an EPA spokesperson:

"EPA is working with our state, local and federal partners on both sides of the border to mitigate adverse water quality impacts in the United States as a result of this incident."

From: Stephen Dinan [mailto:sdinan@washingtontimes.com]

**Sent:** Friday, May 19, 2017 3:54 PM

To: Graham, Amy <graham.amy@epa.gov>

Subject: Re: Washington Times inquiry: Tijuana sewage spill

I'm writing for Monday's paper. Supposed to be talking to Border Patrol agents tonight.

On May 19, 2017, at 3:52 PM, Graham, Amy <graham.amy@epa.gov> wrote:

Hi Stephen – We are looking into this now. When is your deadline?

Thanks, Amy

From: Stephen Dinan [mailto:sdinan@washingtontimes.com]

Sent: Friday, May 19, 2017 2:09 PM

To: Press < Press@epa.gov>

Subject: Washington Times inquiry: Tijuana sewage spill

Hi press folks,

I'm trying to see if you all have any reaction to a series of letters I'm told were sent by members of Congress from San Diego about the Tijuana sewage spill. Here's one of them:

The information contained in this electronic transmission is intended for the exclusive use of the individuals to whom it is addressed and may contain information that is privileged and confidential, the disclosure of which is prohibited by law. If the reader of this transmission is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. In addition, any unauthorized copying, disclosure or distribution of the material in this e-mail and any attachments is strictly forbidden.

I'm trying to get a reaction to the spill status and also to the calls for more pressure on Mexico to do cleanup. It seems that Border Patrol agents have had to go to the hospital because of exposure.

Thanks,

Stephen

Stephen Dinan Washington Times 2024310001

The information contained in this electronic transmission is intended for the exclusive use of the individuals to whom it is addressed and may contain information that is privileged and confidential, the disclosure of which is prohibited by law. If the reader of this transmission is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. In addition, any unauthorized copying, disclosure or distribution of the material in this e-mail and any attachments is strictly forbidden.

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 5/18/2017 12:51:34 PM

To: Paige Embry Ex. 6 Personal Privacy (PP)

**CC**: Press [Press@epa.gov]

Subject: RE: Following up--Re: Subject: Questions re the National Strategy to Promote the Health of Honey Bees and Other

**Pollinators** 

Good morning Paige,

For attribution to "an EPA spokesperson," please:

It is EPA's understanding that the specific causes of overwinter bee hive losses are still unknown. There are multiple possible causes to bee losses as described by USDA, the overall federal lead on pollinator health issues.

Several federal agencies (listed in the National Strategy) are working together to take action to promote the health of honey bees and other pollinators. EPA has taken the following actions: <a href="https://www.epa.gov/pollinator-protection/epa-actions-protect-pollinators">https://www.epa.gov/pollinator-protection/epa-actions-protect-pollinators</a>.

## The U.S. Department of Agriculture has identified Varroa mites as the leading stressor

[https://www.usda.gov/media/press-releases/2016/05/12/usda-releases-results-new-survey-honey-bee-colony-health] affecting colonies in overwinter loss reports. EPA began expediting the review of new Varroa mite control products <a href="https://www.epa.gov/pollinator-protection/epa-registered-pesticide-products-approved-use-against-varroa-mites-bee-hives">https://www.epa.gov/pollinator-protection/epa-registered-pesticide-products-approved-use-against-varroa-mites-bee-hives</a>] to help beekeepers deal with infestations and fast-tracked the registration of oxalic acid. EPA is continuing to work with a range of stakeholders to identify additional means of dealing with this this destructive pest.

For its part, EPA has updated requirements for label language to protect bees and make the requirements more practical. In some cases, they allow more flexibility. For example, a product that retains its toxicity to bees for a shorter time might be allowed to be applied under certain circumstances. Also, in some cases, pesticide application would be allowed when it is unlikely that pollinators will be foraging on crops that have extended bloom periods.

EPA's final Policy to Mitigate the Acute Risk to Bees from Pesticide Products [https://www.epa.gov/pesticides/epa-finalizes-steps-better-protect-bees-pesticides] is a flexible and practical update to the traditional language and is responsive to public comments and input from state/tribal lead agencies

The language that EPA traditionally required for pesticides that posed risks to bees had been in use since the 1960s and was long-recognized as problematic. This was further emphasized in public comments received in response to the draft policy to mitigate acute risk to bees from pesticides; state and tribal lead agencies responsible for enforcing pesticide labels consistently indicated that the label language was too vague and could not be reasonably enforced.

Off the Record: You should contact other agencies and ask for the most current information on specific steps they are taking to reduce overwinter losses. These include agencies that have land management, restoration, or enhancement duties, like USDA and the Department of the Interior, as described in the strategy.

Thanks, R.

From: Paige Embry [mailto Ex. 6 Personal Privacy (PP)

Sent: Tuesday, May 16, 2017 5:38 PM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

Subject: Following up--Re: Subject: Questions re the National Strategy to Promote the Health of Honey Bees and Other

Pollinators

Hi Robert,

I hope you had a good weekend there—it's been rainy in Seattle—imagine. I'm following up to see how the answers to my questions are coming. The colony loss report numbers have been delayed—it looks like they'll be out the beginning of next week rather than the end of this one so I have a few more days. Please let me know how things are going.

Thanks!
Paige
www.paigeembry.com

On May 10, 2017, at 9:54 AM, Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u>> wrote:

Got it. Thx.

From: Paige Embry [mailto: Ex. 6 Personal Privacy (PP)

Sent: Wednesday, May 10, 2017 12:53 PM

To: Daguillard, Robert < Daguillard.Robert@epa.gov>

Subject: Re: Subject: Questions re the National Strategy to Promote the Health of Honey Bees and Other

**Pollinators** 

Tuesday. The hard deadline is the day before the numbers come out and that, I've been told, is the end of next week--which could mean anything from Wednesday to Friday. Paige

On May 10, 2017, at 9:44 AM, Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u>> wrote:

Thanks, Paige. What's your hard deadline, please?

From: Paige Embry [mailto: Ex. 6 Personal Privacy (PP)

Sent: Wednesday, May 10, 2017 12:38 PM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

Subject: Re: Subject: Questions re the National Strategy to Promote the Health of Honey

Bees and Other Pollinators

Hi, They are national numbers that come from the Bee Informed Partnership—the go-to guys for colony loss numbers. I would expect you guys get inundated when numbers like this come out? Or maybe most people just report and move on. Let me know if you want contact info for the person in charge of the press release.

All the best, Paige

On May 10, 2017, at 7:57 AM, Daguillard, Robert <a href="mailto:Daguillard.Robert@epa.gov">Daguillard.Robert@epa.gov</a> wrote:

Thanks, Paige. Are you waiting for numbers from King County, Washington State, or a federal agency?

Thanks, R.

From: Paige Embry [mailtd Ex. 6 Personal Privacy (PP)

Sent: Wednesday, May 10, 2017 10:55 AM

To: Daguillard, Robert < Daguillard.Robert@epa.gov >

Subject: Re: Subject: Questions re the National Strategy to Promote the

Health of Honey Bees and Other Pollinators

Hi Robert, Thanks so much for getting back to me. I'm planning to pitch this to my local paper, The Seattle Times. The piece is geared toward providing some background for the preliminary honey bee colony loss numbers which are due out next week.

If I could have the answers by Monday afternoon, that would be great.

Thanks! Paige

On May 10, 2017, at 6:33 AM, Daguillard, Robert <a href="mailto:Daguillard.Robert@epa.gov">Daguillard.Robert@epa.gov</a> wrote:

Good morning Paige,

My colleagues from the Office of Pesticides Programs have forwarded me your questions. They think it'll be difficult to grant you an interview, but will be working towards a written response. Do you have a firm deadline?

Also and so we can get you the best possible information, what outlet are you planning to write for? And is the information you're seeking part of a bigger story, or will you be focusing on the bee and pollinator health strategy?

Happy to discuss. Thanks, R.

From: Paige Embry [mailto Ex. 6 Personal Privacy (PP)

Sent: Tuesday, May 09, 2017 3:07 PM

**To:** Steeger, Thomas < Steeger. Thomas@epa.gov > **Subject:** Questions re the National Strategy to Promote the Health of Honey Bees and Other Pollinators

Dear Mr. Steeger,

My name is Paige Embry, and I am a writer. I write mostly about bees and I've been wondering what actions have been taken to meet the goals set out in the "National Strategy to Promote the Health of Honey Bees and Other Pollinators." I'm hoping you'll be able to help me. I've put the questions I have below but would love a chance to talk in the next day or two. I am on the west coast so I'll be at

my most coherent after 11 your time but I can pull myself together to talk earlier if that works better for you. If you give me a time on Wednesday or Thursday of this week I can make it work.

I look forward to talking with you.

Best regards,
Paige Embry
www.paigeembry.com
206-963-9227

- 1) What are three specific steps that have been taken to ensure the goal of a stepwise reduction of overwinter losses?
- 2) The goal was to restore or enhance 7 million acres of land for pollinators within 5 years. it's been two. How many acres have seen these improvements?
- 3) What sort of monitoring or other assessment is being done to ensure that the restorations/enhancements are indeed beneficial to pollinators?
- 4) I was told by a beekeeper that some pesticides were having language saying not to spray during bloom was being removed. This doesn't sound helpful for bees. Can you explain what is happening there?

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

Daguillard, Robert [Daguillard.Robert@epa.gov] From:

5/17/2017 3:23:24 PM Sent: To: prizzuto@bna.com CC: Press [Press@epa.gov]

Subject: RE: Is EPA no longer posting all new chemical determinations? Deadline 3 p.m. today

Pat, the agency declines comment. Please attribute to "an EPA spokesperson" if needed.

Regards, R.

From: Rizzuto, Denise Pat [mailto:prizzuto@bna.com]

Sent: Wednesday, May 17, 2017 10:38 AM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

Subject: RE: Is EPA no longer posting all new chemical determinations? Deadline 3 p.m. today

Thank you; can you tell me how many staff? And are they temporary or have they been transferred, sent (whatever the right verb is) permanently to the new chemicals program or OPPT generally?

Pat

Pat Rizzuto Chemicals Reporter Bloomberg BNA, Inc.

Direct: (703) 341-3741 Fax: (703) 341-1678 email: prizzuto@bna.com



Please consider the environment before printing this email.

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]

Sent: Wednesday, May 17, 2017 10:28 AM To: Rizzuto, Denise Pat <pri>zuto@bna.com>

Cc: Press < Press@epa.gov>

Subject: FW: Is EPA no longer posting all new chemical determinations? Deadline 3 p.m. today

Pat, for attribution to "an EPA spokesperson," please:

Yes, EPA is making progress in evaluating new chemicals under the new law. EPA has revised and streamlined its process, brought in new staff to help in the reviews, and is making progress in reducing the backlog of chemicals in the pipeline for review.

We are taking a look at our website with a goal to be more transparent to the public on the status of our reviews and to allow submitters to determine the disposition of their cases as quickly as possible.

We are working toward making sure our website reflects the progress we are making.

As mentioned above, on this page https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-acttsca/status-pre-manufacture-notices, the public can search for the status of notices reviewed under section 5 of TSCA,

as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, and those reviewed under TSCA prior to June 22, 2016, the date of enactment.

From: Rizzuto, Denise Pat [mailto:prizzuto@bna.com]

Sent: Tuesday, May 16, 2017 10:09 AM

To: Daguillard, Robert < Daguillard.Robert@epa.gov>

Subject: RE: Is EPA no longer posting all new chemical determinations? Deadline 3 p.m. today

Robert, I'm seeing there's a "good news" story for EPA. The more I explore EPA's various new chemical websites today, the more I realize that the agency has posted a lot more information. I intend to write a short story today about more info. being available. It would be good for my readers and for EPA to let its voice be heard about what it's done. For today's story and, separately, for the special report.



Pat Rizzuto Chemicals Reporter Bloomberg BNA, Inc.

Direct: (703) 341-3741 Fax: (703) 341-1678 email: prizzuto@bna.com



Please consider the environment before printing this email.

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

Sent: 5/17/2017 3:04:17 PM
To: prizzuto@bna.com
CC: Press [Press@epa.gov]

Subject: RE: Is EPA no longer posting all new chemical determinations? Deadline 3 p.m. today

Pat, also for attribution to "an EPA spokesperson," please:

EPA is working to expand the information on its web pages. The page that is referenced has not been edited in any significant way; historically it has only housed the "not likely to present an unreasonable risk" determinations. Minor clarifying edits were made to the page (including the title) to better reflect what was on the page.

EPA has maintained this separate page on "not likely determinations" as the statute requires that we provide notice. These cases are also batched and announced more formally in the FR pursuant to section 5(g).

From that same page is a link to a searchable table where one can view the interim and final statuses of Section 5 premanufacturing notices under TSCA: <a href="https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/status-pre-manufacture-notices">https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/status-pre-manufacture-notices</a>

Thanks, R.

From: prizzuto@bna.com [mailto:prizzuto@bna.com]

Sent: Tuesday, May 16, 2017 9:20 AM

To: Press < Press@epa.gov>

Subject: Is EPA no longer posting all new chemical determinations? Deadline 3 p.m. today

Effective today, the EPA changed the language on this website: <a href="https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/chemicals-determined-not-likely">https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/chemicals-determined-not-likely</a>

Among other changes, as recently as Friday, it read "Determinations under Amended TSCA" (that phrasing means the agency would post any final determination)

Now it reads: "Chemical substances EPA has determined are `not likely to present an unreasonable risk.'" (that phrasing means the agency would post only one of 3 final determinations it is allowed to make under amended TSCA)

Is the agency perhaps:

- 1) no longer posting any determination other than "not likely to present an unreasonable risk?"
- 2) going to establish separate websites for other possible PMN determinations?
- 3) Something else?
- 4) In short what is the rationale for limiting the information on this website and will information on other types of possible findings be posted?



Pat Rizzuto
Chemicals Reporter
Bloomberg BNA, Inc.

Direct: (703) 341-3741

Fax: (703) 341-1678

email: prizzuto@bna.com



Please consider the environment before printing this email.

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

 Sent:
 5/17/2017 11:43:31 AM

 To:
 prizzuto@bna.com

 CC:
 Press [Press@epa.gov]

Subject: RE: Reporter with update + question on previously requested interview with EPA on new chemicals program &

requesting numerical figures to illustrate status of reviews

Good morning Pat,

For attribution to "an EPA spokesperson," please:

As of May 9, 2017, 481 PMN, MCAN and SNUN cases were under review. Historically, OPPT has had approximately 300 cases under review at any given time. Therefore, the New Chemicals backlog people refer to is 181 (481-300).

On May 9, no MCANs were under review. The reviews had been completed on all "reset" MCANs (a total of 11) and all MCANs received since June 22 (a total of 25).

As of May 9, 2017, 86 cases were withdrawn by the submitter and 74 cases were determined to be "invalid" or "incomplete" and were returned to submitters.

As of May 9, 2017, 255 cases have been allowed to enter commerce. Of these 255 cases, 84 received "not likely to present an unreasonable risk" determinations and 171 are covered by section 5(e) consent orders between the company and EPA.

EPA has revised and streamlined its process and stopped sending action letters at the end of March. EPA has made an interim determination to regulate under section 5(e) and regulatory actions are in the development process for 279 cases as of May 9, 2017. From July 2016 through March 2017 (i.e., the point at which we stopped sending action letters), EPA had sent action letters for 353 cases.

The study type required by EPA for a specific substance depends upon the hazard of concern, the route of exposure, and the availability of reliable data on analogous substances. The types of studies required by EPA now for most categories of substances compared to the types of studies required before enactment of the Lautenberg Act for the same categories of substances have not changed.

We're still working on your other inquiries. Thanks, R.

From: Rizzuto, Denise Pat

**Sent:** Tuesday, May 02, 2017 12:01 PM **To:** 'press@epa.gov' < <u>press@epa.gov</u>>

Subject: Reporter requesting interview with EPA on new chemicals program & requesting numerical figures to illustrate

status of reviews

**I have two requests:** 1<sup>st</sup> an interview with Wendy Cleland-Hamnet, Jeffrey Morris, or other appropriate senior OCSPP

or OPPT official regarding the new chemicals program. The interview is for a special report giving me some flexibility as to when, but I would like to have the interview no later than May 22. It

could be in person or by phone, although in person would be ideal.

2<sup>nd</sup> numerical figures about the status of PMN and MCAN reviews

1. Illustrative questions I need to ask an EPA official (final questions may vary as I speak with more stakeholders

prior to my interview with EPA)

1) Do you think the number of PMNs, in particular, but also MCANs that are under review by OPPT's new

chemicals program is a problem?

2) What health or environmental issues are raising questions as EPA reviews the new chemicals and how is that

similar or different than prior to Lautenberg?

3) Prior to Lautenberg, I'm told the agency often tied data requests to production volume, for example, it

would let a chemical enter commerce but required data once production volume hit particular targets. Now, I'm told the EPA is more often wanting the data before the chemical is allowed to enter commerce. What's

EPA's perspective?

4) I've heard industry speakers say Lautenberg codified new chemical review practices the agency already had.

Is that an accurate description?

5) What are they questions raised by Lautenberg, requirements the EPA must meet or presumptions about

new chemicals being made that are causing the logiam?

6) What solutions are you considering?

II. Figures about new chemicals program that I am seeking ahead of that interview

7) How many PMNs were under review as of April 30, 2017.

8) How many MCANS were under review as of April 30, 2017.

9) How many PMNs, and how many MCANs have been withdrawn since June 22, 2016 (i.e. since Lautenberg

went into effect)?

10) How many PMNs and how many MCANS have been allowed to enter commerce since June 22, 2016? (I

realize these are posted, and I recently counted 63, but I want to make sure I'm counting them correctly.)

11) How many action letters has EPA sent since June 22, 2016?

12) What's the range of study types—acute, chronic, dermal, multigene repro., etc.—that the agency has said it

would like to receive?

Pa

Pat Rizzuto
Chemicals Reporter

Bloomberg BNA, Inc.

Direct: (703) 341-3741 Fax: (703) 341-1678 email: prizzuto@bna.com

Please consider the environment before printing this email.

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 6/1/2017 3:09:51 PM

To: Richard Blaustein Ex. 6 Personal Privacy (PP)

**CC**: Press [Press@epa.gov]

Subject: RE: Subject: Request for interview for Bioscience article on lead and sunflowers

Rich, a slight correction:

Please change that to "for attribution to 'an EPA spokesperson," please.

From: Daguillard, Robert

Sent: Thursday, June 01, 2017 10:56 AM

To: 'Richard Blaustein' < Ex. 6 Personal Privacy (PP) >

Cc: Press < Press@epa.gov>

Subject: Subject: Request for interview for Bioscience article on lead and sunflowers

Rich, with apologies for the delay. On deep background, please, meaning no specific attribution.

You can find information on the fundamentals for phytoextraction for a metal at the following link: <a href="http://rydberg.biology.colostate.edu/Phytoremediation/2006/Pereyra-Webpage/introphy.htm">http://rydberg.biology.colostate.edu/Phytoremediation/2006/Pereyra-Webpage/introphy.htm</a>, Section 3.1

Phytoextraction does not work for lead for three reasons: First, lead contaminated soil is measured by 'total lead'. Plants take up only soluble materials, therefore they only interact with the soluble fraction of the lead in soil. Even if all the soluble lead were removed it would not clean the soil. Second, lead is not a plant nutrient. Any lead that moves into a plant is incidental to the plant's growth and thriving. Very few plants take up any. Some take up a lot more than others and are called hyperaccumulators, but taking up many times an amount close to zero is still a very small amount. Finally, lead can be made more soluble by several means, such as the addition of chelating agents to remove lead from the body

No plants work for lead. Some early work was done to make plants take up lead. This involved adding EDTA or citric acid to soil to make the lead more mobile, dropping the pH to further mobilize the metal, and stressing the plants through drought or by spraying them with roundup. Some lead moved into those plants. Unfortunately a lot of lead was mobilized by this treatment, and in a real world application it would escape the site and join surface water or groundwater. The promise of lead phytoextraction demonstrated in laboratories was never fulfilled in the field.

Sunflowers have been overhyped as a remedy for lead in soil. While there was early promise in some lab studies, sunflowers simply do not remove very much lead, if any. Sunflowers and other plants can help stabilize soil and prevent dust. Dust is a main transport mechanism for moving lead into people via inhalation and ingestion. Because sunflowers naturally do not take up much lead, and even if some lead does move into the plant it will stay in the root and stem, therefore the seeds are safe to eat even if planted in contaminated soil.

Successful practices and processes for lead remediation include: stabilizing lead in soil by the addition of phosphate; raising pH; adding organic matter; and capping

Urban Gardens are generally planted in raised beds that have been built on top of presumably contaminated soil. Mulch is laid between beds. The presumably contaminated soil is effectively capped by garden beds and mulch.

If raised beds are not used, the soil for an urban garden on a presumably contaminated lot still needs to be extensively amended with compost and other organics, the pH needs to be raised, and it needs to be fertilized.

Plants are being used for landfill covers, to treat groundwater contaminated with solvents, to filter air in cities

For more on successful examples of lead remediation done by EPA or a municipality, please see:

The International Journal of Phytoremediation: http://www.tandfonline.com/toc/bijp20/current

The International Phytotechnology Society: <a href="http://phytosociety.org/events">http://phytosociety.org/events</a>

https://clu-in.org/download/techfocus/stabilization/Stabilization-Pb-ER-0111-FR.pdf

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 5/31/2017.7:56:34 PM

To: Tom Oder Ex. 6 Personal Privacy (PP)

CC: toder@wwediting.com; Press [Press@epa.gov]

Subject: RE: Subject: Media inquiry at Joe Conlon's suggestion

Tom, with apologies for the delay, and for attribution to "an EPA spokesperson," please:

Any mosquito control product that claims to protect people from disease must be registered by EPA. Registrations are required to be supported by scientific data showing that the products can perform as intended when used according to label directions. EPA's website has a wealth of information about controlling mosquitoes. See <u>Mosquito control</u>.

From: Daguillard, Robert

Sent: Wednesday, May 17, 2017 7:33 AM
To: 'Tom Oder' Ex. 6 Personal Privacy (PP)

Cc: Lynn, Tricia <lynn.tricia@epa.gov>; Valentine, Julia <Valentine.Julia@epa.gov>; toder@wwediting.com

Subject: RE: Subject: Media inquiry at Joe Conlon's suggestion

OK, Tom. Thanks.

From: Tom Oder [mailto Ex. 6 Personal Privacy (PP)

Sent: Tuesday, May 16, 2017 9:22 PM

To: Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u>>

Cc: Lynn, Tricia <lynn.tricia@epa.gov>; Valentine, Julia <Valentine.Julia@epa.gov>; toder@wwediting.com

Subject: Re: Subject: Media inquiry at Joe Conlon's suggestion

Thanks, Robert. Hard deadline is end of day Friday.

On May 16, 2017, at 2:30 PM, Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u>> wrote:

Tom, I forgot to ask: What's your hard deadline?

Thanks, R.

From: Daguillard, Robert

Sent: Tuesday, May 16, 2017 2:25 PM

To: Ex. 6 Personal Privacy (PP)

Cc: Lynn, Tricia <lynn.tricia@epa.gov>; Valentine, Julia <Valentine.Julia@epa.gov>

Subject: Subject: Media inquiry at Joe Conlon's suggestion

Good afternoon Tom,

My colleague Tricia Lynn, who is out today, forwarded me your inquiry. Thanks for reaching out. I'll follow up with our pesticides program as they work on answers for you.

Happy to discuss if needed. Thanks, R.

\_\_\_\_\_

From: Tom Oder [mailto Ex. 6 Personal Privacy (PP)

Sent: Monday, May 15, 2017 9:13 AM

To: Dawson, Jeffrey < Dawson.Jeff@epa.gov>

**Cc:** toder@wwediting.com

Subject: Media inquiry at Joe Conlon's suggestion

Hi Jeff,

I am a freelance writer in Atlanta and have written a story about what's in the mosquito sprays pest control companies spray on residential lawns. The source for the story is Joe Conlon, Technical Advisor for the American Mosquito Control Association. Joe mentions the EPA in regard to the two main types of mosquito sprays applicators use: pyrethroids and organics such as geraniol. Because Joe mentions EPA, I thought it would be prudent to have a comment from the EPA. He suggested I contact you for that.

The comment I am looking for is a statement about the EPA's position on regulating pyrethroids for residential mosquito spraying for toxological safety requirements and not requiring regulations for the organic mosquito sprays (I do not say this in a 'critical' sense). I have included the story above so you can see the context and, if you want, read the story for accuracy regarding these sprays. I would ask that you not share the story for general reading. I will be happy to send you a link when it is posted. If EPA would like to link to it at that time, that would be great.

Mother Nature Network is an online only publication designed for people who want to make the world a better place. It is the world's most visited online network for news and information related to the environment and responsible living. Its sites generate more than 10 million sessions per month from more than 200 countries.

Many thanks, Tom

Tom Oder toder@wwediting.com

Member: Metro Atlanta Chamber Global Commerce Council, Panama Gateway International

Association, Inc., Cullowhee Native Plant Conference Steering Committee

http://wwediting.wix.com/home

Visit my LinkedIn profile: Http://www.linkedin.com/in/tomoder

Follow me on Facebook and

Twitter: Http://Facebook.com/Tom.Oder Http://twitter.com/wwediting.com

Call me: (h) (o) (c) | Ex. 6 Personal Privacy (PP) |; SKYPE: tomoder

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Ex. 6 Personal Privacy (PP) (M)

Tom Oder toder@wwediting.com

Member: Metro Atlanta Chamber Global Commerce Council, Panama Gateway International Association, Inc.,

Cullowhee Native Plant Conference Steering Committee

http://wwediting.wix.com/home

Visit my LinkedIn profile: <a href="http://www.linkedin.com/in/tomoder">Http://www.linkedin.com/in/tomoder</a>

Follow me on Facebook and Twitter: <a href="http://Facebook.com/Tom.Oder">http://twitter.com/wwediting.com</a>

Call me: (h) (o) (c)  $E_{X.6 Personal Privacy (PP)}$  SKYPE: tomoder

Daguillard, Robert [Daguillard.Robert@epa.gov] From:

5/30/2017 3:06:32 PM Sent:

Max Siegelbaum [ Ex. 6 Personal Privacy (PP) To:

CC: Press [Press@epa.gov]

Subject: **RE: Press Inquiry about Pesticides** 

Max, for attribution to "an EPA spokesperson" is such is required:

Members of the public can submit Freedom of Information Act Requests for these documents and confidential business information will be redacted during the FOIA clearance process.

Regards, R.

From: Max Siegelbaum [mailto: Ex. 6 Personal Privacy (PP)

Sent: Tuesday, May 30, 2017 10:54 AM

To: Daguillard, Robert < Daguillard. Robert@epa.gov>

**Subject:** Re: Press Inquiry about Pesticides

Dear Robert,

I hope you had a nice long weekend. I just wanted to check in again to see if you had an answer to whether Foreign Purchaser Acknowledgment Statements are public and if I can easily obtain them.

Thanks,

Max

On Fri, May 26, 2017 at 3:03 PM, Max Siegelbaum < Ex. 6 Personal Privacy (PP) wrote:

Thanks for looking into it. I'll check back in on Tuesday if I don't hear anything.

Max

On May 26, 2017, at 3:00 PM, Daguillard, Robert < Daguillard.Robert@epa.gov > wrote:

Let me check, although we may not get back to you before Tuesday - as it's now mid-afternoon and Monday is s federal holiday.

Robert Daguillard U.S Environmental Protection Agency Office of Media Relations

Washington D.C.

+ 1 (202) 564-6618 (o) Ex. 6 Personal Privacy (PP) (m)

On May 26, 2017, at 2:56 PM, Max Siegelbaum < Ex. 6 Personal Privacy (PP) wrote:

Hi Robert,

Thanks for getting back to me with this information. I appreciate your research

and time. Do you know if by any chance if the Foreign Purchaser Acknowledgement Statement is a public document?

Thanks,

Max

On May 26, 2017, at 1:56 PM, Daguillard, Robert <a href="mailto:Daguillard.Robert@epa.gov">Daguillard.Robert@epa.gov</a> wrote:

Max, on background, please:

DDT is not registered in the United States today. But unregistered pesticides may be manufactured for export in accordance with section 17(a) of the Federal Insecticide, Fungicide, and Rodenticide Act and labeled in accordance with Subpart D of 40 CFR Part 168. More information is available at <a href="https://www.epa.gov/compliance/importing-and-exporting-pesticides-and-devices">https://www.epa.gov/compliance/importing-and-exporting-pesticides-and-devices</a>.

Regards, R.

----Original Message-----

From: Max Siegelbaum [mailto: Ex. 6 Personal Privacy (PP)

Sent: Tuesday, May 23, 2017 2:51 PM

To: Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u>>

Subject: Press Inquiry about Pesticides

Dear Robert,

I have a quick question about DDT that I was hoping you could answer. I recently found a fact sheet about DDT from the National Pesticide information center from 1999 that contained the following information: "DDT can still legally be manufactured in the U.S., but it can only be sold to, or used by, foreign countries." Is it still legal to manufacture DDT in the United States?

Thanks,

Max

Seife v. EPA (1:19-cv-05190) 9.1.2020 ED\_003047\_00006803-00002

Max Siegelbaum
maxsiegelbaum.pressfolios.com
Cell: Ex. 6 Personal Privacy (PP)

Seife v. EPA (1:19-cv-05190)

9.1.2020

ED\_003047\_00006803-00003

From: Graham, Amy [graham.amy@epa.gov]

Sent:5/26/2017 5:55:04 PMTo:mwilson@thehill.comCC:Press [Press@epa.gov]

**Subject**: Re: Question re: ethics waivers

Hi Megan -- For attribution to an EPA spokesperson:

None of EPA's appointees requested or received a waiver. OMB's letter was addressed to OGE and did not seek a response from individual agencies.

On May 26, 2017, at 1:36 PM, Megan Wilson < mwilson@thehill.com > wrote:

Just wanted to check in on this request.

Thank you.

On Thu, May 25, 2017 at 4:23 PM, Megan Wilson <<u>mwilson@thehill.com</u>> wrote: Good afternoon J.P.,

My name is Megan Wilson and I'm with The Hill newspaper.

In a letter to OMB, OGE director Shaub said that some agencies had already sent in their ethics waivers.

Reaching out because I wanted to know if EPA's DAEO has submitted any ethics waivers. If not, does the office plan to do so?

Also, has the agency responded to the letter sent by OMB director Mulvaney, questioning OGE's authority to submit a data request -- either by phone or correspondence?

Thanks for your help,

Meg

Megan R. Wilson

Staff Writer, Business & Lobbying

The Hill newspaper 1625 K Street NW Suite 900 Washington DC 20006

Office: 202-407-8002
Cell: Ex. 6 Personal Privacy (PP)

---

Megan R. Wilson

Staff Writer, Business & Lobbying

The Hill newspaper 1625 K Street NW Suite 900 Washington DC 20006

Office: 202-407-8002
Cell: Ex. 6 Personal Privacy (PP)

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

Sent:5/26/2017 4:30:48 PMTo:scocke@staradvertiser.comCC:Press [Press@epa.gov]

**Subject**: Subject: Trump's proposed budget

Dear Ms. Cocke, for attribution to "an EPA spokesperson," please:

Administrator Pruitt is committed to improving environmental conditions and human health for all Americans. The Administrator will continue to engage in meaningful discussions about how shared environmental goals can best be achieved.

Regards,

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

From: Sophie Cocke [mailto:SCocke@staradvertiser.com]

Sent: Thursday, May 25, 2017 12:52 PM
To: Higuchi, Dean < Higuchi.Dean@epa.gov >
Subject: Trump's proposed budget

Hi Dean,

I received a breakdown of specific cuts in Trump's proposed FY18 budget from Rep. Colleen Hanabusa's office today. The proposed cuts to the EPA are particularly significant amounting to a 30 percent cut in the agency's budget. (As i'm sure you are aware of.)

Under the budget, 46 of the agency's programs, including all of its geographic programs, would be eliminated, according to the analysis that was done with the assistance of the Appropriations Committee and Center for American Progress. The workforce would be reduced by 3,784 employees, enforcement funds would be cut by 23 percent and state grants cut by 44 percent.

The numbers don't get too specific, however, when it comes to Hawaii or Region 9. Do you have a breakdown on how the proposed budget would specifically effect Hawaii - such as how many jobs would be lost and what programs would be eliminated or reduced?

Many thanks, Sophie

Sophie Cocke
Reporter
Honolulu Star-Advertiser
scocke@staradvertiser.com
office: 808-537-9664
cell: [Ex. 6 Personal Privacy (PP)]

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

 Sent:
 5/26/2017 4:29:23 PM

 To:
 Ex. 6 Personal Privacy (PP)

 CC:
 Press [Press@epa.gov]

**Subject**: WISH-TV Indianapolis - request for EPA stories in the area.

Dear Mr. Feldman, for attribution to "an EPA spokesperson," please:

Administrator Pruitt is committed to improving environmental conditions and human health for all Americans. The Administrator will continue to engage in meaningful discussions about how shared environmental goals can best be achieved.

Regards,

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
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Ex. 6 Personal Privacy (PP) (M)

I've moved on and now am a reporter with WISH-TV in Indianapolis. I'm looking at stories that I could pursue coming up. You were so helpful when I was in Springfield. I wanted to see if there are any stories that should be highlighted in the Indianapolis-area.

For example, I was curious if there are any U.S. EPA projects in danger right now from potential cuts from the Trump administration.

Look forward to hearing from you!

Best, Eric

Ex. 6 Personal Privacy (PP)

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 5/25/2017 1:04:00 PM

**To**: Tiffany Stecker [tstecker@bna.com]

**CC**: Press [Press@epa.gov]

Subject: Re: Worker Protection Standard petition granted -- Need clarification

It is indeed.

Robert Daguillard
U.S Environmental Protection Agency
Office of Media Relations
Washington D.C.
+ 1 (202) 564-6618 (o)

Ex. 6 Personal Privacy (PP) (m)

From: Stecker, Tiffany [mailto:tstecker@bna.com]

Sent: Wednesday, May 24, 2017 8:47 AM

**To:** Daguillard, Robert < <u>Daguillard.Robert@epa.gov</u>>; Press < <u>Press@epa.gov</u>> **Subject:** Re: Worker Protection Standard petition granted -- Need clarification

Thanks Robert. Just for my clarification, the EPA budget CJ (pg. 246) states that the petition was granted in April 2017. Is that an error?

From: Daguillard, Robert < Daguillard.Robert@epa.gov>

Sent: Wednesday, May 24, 2017 8:42 AM

To: Stecker, Tiffany; Press

Subject: RE: Worker Protection Standard petition granted -- Need clarification

Good morning Tiffany,

For attribution to "an EPA spokesperson," please:

On May 11, 2017, EPA granted the petition received from the National Association of State Departments of Agriculture (NASDA) to extend the implementation of the revised provisions of the Agricultural Worker Protection Standard. We will soon begin the regulatory process to formally extend the compliance date for all revised provisions of the WPS. We will thereafter make a final decision on this matter after considering any comments received.

Regards, R.

From: Stecker, Tiffany [mailto:tstecker@bna.com]

Sent: Tuesday, May 23, 2017 3:54 PM

To: Press < Press@epa.gov>

Subject: Worker Protection Standard petition granted -- Need clarification

Hello,

The FY18 budget's congressional justification states that EPA granted the NASDA petition to extend the implementation of the Worker Protection Standard in April 2017

https://www.epa.gov/sites/production/files/2017-05/documents/fy-2018-congressional-justification.pdf (pg. 246)

However, this letter appears to grant the petition and it is dated May 11. It also does not include the Jan. 2, 2019 date that is in the budget CJ.

Could you please confirm when the petition was granted, and whether Jan. 2, 2019 is the proposed extension of the implementation date? Deadline is 5:30 pm.

Thanks,

Tiffany

Tiffany Stecker

Environment Reporter Bloomberg BNA

Direct 703.341.3720
Cell Ex. 6 Personal Privacy (PP)

(please note that my cell number has changed)

tstecker@bna.com

From: Jones, Enesta [Jones.Enesta@epa.gov]

**Sent**: 5/16/2017 8:35:43 PM

**To**: Ivory, Danielle [danielle.ivory@nytimes.com]

**CC**: Press [Press@epa.gov]

**Subject**: RE: Regulatory Reform recommendations

Hi Danielle,

Please go here to view the recommendations: <a href="https://www.regulations.gov/docket?D=EPA-HQ-OA-2017-0190">https://www.regulations.gov/docket?D=EPA-HQ-OA-2017-0190</a>

**Enesta Jones** 

U.S. EPA

Office: 202.564.7873
Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

From: Ivory, Danielle [mailto:danielle.ivory@nytimes.com]

**Sent:** Tuesday, May 16, 2017 10:48 AM **To:** Bowman, Liz <Bowman.Liz@epa.gov>

Cc: Press <Press@epa.gov>; Jones, Enesta <Jones.Enesta@epa.gov>

Subject: Re: Regulatory Reform recommendations

Hi Liz, I'm not seeing these recommendations on <u>regulations.gov</u>. Could you please send them directly or send a link?

I'll plan on filing a FOIA request later today if I don't hear from you. Thanks!

Danielle

On Mon, May 15, 2017 at 7:39 PM, <<u>danielle.ivory@nytimes.com</u>> wrote:

Thanks, Liz, and no problem. What is the next deadline for the regulatory reform task force at EPA?

Are the recommendations online at <u>regulations gov</u>? If so, would you mind sending me a link?

Thanks again!

Danielle

Sent from my iPhone

On May 15, 2017, at 7:32 PM, Bowman, Liz < Bowman Liz@epa.gov > wrote:

Hi Danielle -- Sorry, I mixed up your request. On background (not for attribution): Today was the goal for the program offices to submit feedback, in response to Regulatory Reform memo from the Administrator. We will review the information as its received and evaluate with it accordingly. It's a deliberative process with the different offices. Thank you – Liz

From: Bowman, Liz

Sent: Monday, May 15, 2017 6:55 PM

To: Ivory, Danielle <<u>danielle.ivory@nytimes.com</u>>; Press <<u>Press@epa.gov</u>>; Jones, Enesta

<Jones.Enesta@epa.gov>

Subject: RE: Regulatory Reform recommendations

Hi Danielle – The Regulatory Reform recommendations are available on the public docket and can be found on regulations.gov.

Thank you – Liz

From: Ivory, Danielle [mailto:danielle.ivory@nytimes.com]

Sent: Monday, May 15, 2017 12:45 PM

To: Press < Press@epa.gov >; Jones, Enesta < Jones. Enesta@epa.gov >

Subject: Fwd: Regulatory Reform recommendations

Hello, I received a bounce-back from Enesta's account. Could someone else help me with this request?

Thanks,

danielle

----- Forwarded message -----

From: Ivory, Danielle < danielle.ivory@nytimes.com >

Date: Mon, May 15, 2017 at 12:39 PM

Subject: Regulatory Reform recommendations To: "Jones, Enesta" < Jones. Enesta@epa.gov>

Hi Enesta,

Recommendations to the Regulatory Reform Task Force by the Offices of Air and Radiation, Land and Emergency Management, Chemical Safety and Pollution Prevention, Water, Environmental Information, Congressional and Intergovernmental Relations and Small and Disadvantaged Business Utilization are due today, May 15. Would it be possible to send me copies of those recommendations?

If I will need to file a FOIA for this, that is fine -- just let me know. I'll assume if I don't hear from you by the end of the day today that I should file a FOIA.

Many thanks,

Danielle

Danielle Ivory

The New York Times Office: 212-556-1596 Cell: [Ex. 6 Personal Privacy (PP)]
Fax: 646-349-2536

PGP Key: 4F0C8AF6FB9B5DBE Signal encrypted chat Ex.6 Personal Privacy (PP)

Danielle Ivory

The New York Times Office: 212-556-1596 Cell: [Ex. 6 Personal Privacy (PP)]
Fax: 646-349-2536

PGP Key: 4F0C8AF6FB9B5DBE Signal encrypted chat: Ex. 6 Personal Privacy (PP)

Danielle Ivory
The New York Times
Office: 212-556-1596
Cell: [Ex. 6 Personal Privacy (PP)]

Fax: 646-349-2536

PGP Key: 4F0C8AF6FB9B5DBE
Signal encrypted chat: Ex. 6 Personal Privacy (PP)

To: Morgan Smith[msmith@texastribune.org]

Cc: Press[Press@epa.gov]

From: Daguillard, Robert[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BBE9682B940C4F2C90732E4D37355DD4-DAGUILLARD,]

**Sent:** Tue 5/16/2017 2:31:50 PM (UTC)

Subject: EPA Response: State registration of Kaput

Good morning Morgan,

My colleague Tricia asked me to forward you the following, as she's out today. For attribution to "an EPA spokesperson," please:

"Once a company is granted an EPA registration, the company must also receive registration from the State in which the company wishes to sell and distribute the product. States can impose additional use restrictions of a pesticide product beyond that of the federal restrictions; however, the State cannot allow less restrictions than those imposed by the federal registration. Whether additional state restrictions are placed on a registration would be dictated by state law and regulations."

Very best, R.

Robert Daguillard
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Ex. 6 Personal Privacy (PP) | M)

**From**: regionalpress [regionalpress@epa.gov]

**Sent**: 5/22/2018 3:51:32 PM

To: Konkus, John [konkus.john@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael

[abboud.michael@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]

Subject: FW: FOR OPA REVIEW AND APPROVAL: American Cyanamid Superfund Site News Release

Attachments: Am Cy Superfund Site Proposed Plan Release OPA.docx

From: Block, Molly

**Sent:** Tuesday, May 22, 2018 3:51:25 PM (UTC+00:00) Monrovia, Reykjavik

To: regionalpress; Konkus, John; Hewitt, James; Abboud, Michael; Beach, Christopher; Daniell, Kelsi; Ferguson, Lincoln

Subject: RE: FOR OPA REVIEW AND APPROVAL: American Cyanamid Superfund Site News Release

Edited attached. Thanks!

From: Block, Molly

Sent: Monday, May 21, 2018 3:43 PM

**To:** regionalpress <regionalpress@epa.gov>; Konkus, John <konkus.john@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Beach, Christopher

<beach.christopher@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>

Subject: RE: FOR OPA REVIEW AND APPROVAL: American Cyanamid Superfund Site News Release

Adding Chris Beach too look at the quote.

From: regionalpress

**Sent:** Monday, May 21, 2018 3:42 PM

To: Konkus, John < konkus.john@epa.gov >; Hewitt, James < hewitt.james@epa.gov >; Abboud, Michael < abboud.michael@epa.gov >; Block, Molly < block.molly@epa.gov >; Bowman, Liz < 8owman, Liz < 8owman

Subject: FW: FOR OPA REVIEW AND APPROVAL: American Cyanamid Superfund Site News Release

Importance: High

From: Kluesner, Dave

**Sent:** Monday, May 21, 2018 7:41:51 PM (UTC+00:00) Monrovia, Reykjavik

**To:** regionalpress

Cc: Mears, Mary; Rodriguez, Elias

Subject: FOR OPA REVIEW AND APPROVAL: American Cyanamid Superfund Site News Release

[PETE APPROVED]

Attached news release Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

NOTE: Proposed Administrator quote.

Also attached is the Comms Strategy.

Please let me know if you have any questions. thanks

# David W. Kluesner













U.S. Environmental Protection Agency, Region 2
Deputy Director, Public Affairs
290 Broadway, 26<sup>th</sup> Floor
New York, NY 10007
212.637.3653 (Office)

Ex. 6 Personal Privacy (PP) (Cell)

To: Elliott, Dan[delliott@ap.org]

From: Bowman, Liz[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

**Sent:** Wed 3/14/2018 12:58:37 AM (UTC)

Subject: Re: Questions about tort claims from Gold King Mine spill

In background, meaning for your understanding of the issue. You may use it, but not attributed to me by name.

It was a roundtable with regional outlets based in DC. We often do small round tables and rotate different outlets.

In a response to a FOIA request, EPA staff provides documents that are responsive to the particular request.

On Mar 13, 2018, at 8:41 PM, Elliott, Dan < delliott@ap.org > wrote:

Liz:

Thanks for your email. I have a number of questions and concerns about it, including the fact that it contains information that is contradicted by documents the EPA gave me last year.

- 1. Your email says the spreadsheet "reflects the claims and amounts as they were submitted originally," but I believe that is incorrect. Will Ferguson and Associates originally filed nine claims for \$100 million each, for a total of \$900 million. I have the documents; EPA released copies of them to me last year in response to a FOIA request. But the spreadsheet lists 14 claims for a total of \$220 million from Will Ferguson and Associates, so it does not reflect the claims and amounts as they were submitted originally. The spreadsheet appears to be wrong.
- 2. My FOIA request specifically asked for claims filed under the Federal Tort Claims Act, but your email says the amount listed for New Mexico includes claims that were not made under the FTCA, including "specific amounts for response costs (approx. \$890K), long-term monitoring (\$6M), and a testing and marketing plan (\$17.5M)." I asked only for FTCA claims, and there is nothing on the spreadsheet to indicate that any of the \$2,532,315,794 in claims it lists were not submitted under FTCA. Do any claims in the spreadsheet besides New Mexico's include non-FTCA requests?
- 3. You referred me to the administrator's on-the-record comments for specifics on the end-of-the-year deadline for reviewing the claims. I do not have the administrator's comments because, as you probably know, I was not invited to participate in his Monday session with reporters. Can you provide a transcript of his remarks to me?
- 4. When you say your answers are on background, not for attribution, what specifically do you mean? I can use the information, and attribute to to the EPA or an EPA spokeswoman, but not to you by name? I can use it, but not attribute even to the EPA? Can I not use it at all? I have an on-the-record document with a number of confusing entries, and I would like to have someone on the record to explain it.

Thank you.

Dan Elliott

<image001.jpg> <image002.jpg>

Dan Elliott1120 Lincoln St.303-825-0123 (Office)Suite 901

Seife v. EPA (1:19-cv-05190)

9.1.2020

Ex. 6 Personal Privacy (PP). | Mobile |
delliott@ap.org
@ Dan Elliott AP

http://bigstory.ap.org/content/dan-elliott

From: Bowman, Liz < Bowman.Liz@epa.gov > Sent: Tuesday, March 13, 2018 4:32 PM
To: Elliott, Dan < delliott@ap.org >

Subject: Re: Questions about tort claims from Gold King Mine spill

On background, not for attribution:

New Mexico's May 12, 2016 demand letter claims \$130 Million for economic loss as well as specific amounts for response costs (approx. \$890K), long-term monitoring (\$6M), and a testing and marketing plan (\$17.5M). In aggregate, NM demanded \$154,443,879. That is the number reflected in the spreadsheet.

The spreadsheet reflects the claims and amounts as they were submitted originally. Because the claimants represented by the Ferguson law firm have now sued the United States in federal court over these claims (the McDaniel case), EPA is without jurisdiction to consider them. Any subsequent adjustments to their claim amounts are not reflected in the chart.

Generally, EPA has six months to act on a claim before a claimant can sue the United States in court over the claim. This doesn't mean EPA cannot act after the six-month time period has passed. Rather, after six months, the claimant can continue to wait for EPA to act (and go to court after EPA acts) or can go to court right away. One important caveat is that the regulations do not speak to the timeline or procedure for an Agency to reconsider previously denied claims (which would apply to about 70 of the 400 or so total claims).

For specifics, please refer to the administrators comments on the record. On Mar 13, 2018, at 5:58 PM, Elliott, Dan <<u>delliott@ap.org</u>> wrote:

Liz:

I would appreciate getting answers to these questions, which I sent you in previous emails. I saw that Administrator Pruitt gave The Denver Post the answer to question 4 on Monday, but I request that you confirm the answer for me.

Thank you.

Dan Elliott Associated Press

- 1. The tort claims spreadsheet the EPA gave me in response to my most recent FOIA says Jackson, Gilmour & Dobbs, PC, filed a claim for \$154,443,879 on behalf of the state of New Mexico. However, the firm's claim letter of May 12, 2016 (attached), which the EPA provided to me in response to an earlier FOIA request, said the state seeks \$130 million. Last week, Cholla Khoury of the New Mexico Attorney General's Office told me the state's tort claim remains \$130 million. Can you tell me why the EPA spreadsheet says \$154,443,879?
- 2. The spreadsheet says Will Ferguson & Associates filed 11 claims for \$10 million each, two claims for \$5 million each and one for \$100 million. Last week, Will Ferguson told me his firm's most recent revised claims do not include any for \$100 million. The original set of claims from the law firm did include at

least one for \$100 million, but those were all revised downward. Can you tell me why the EPA spreadsheet still lists one for \$100 million? Is it possibly an obsolete claim from the firm's original submission?

- 3. Was the six-month deadline to "act on claims under reconsideration" that Administrator Pruitt mentioned in an Aug. 4, 2017, news release a self-imposed deadline or is it stated in federal law or EPA regulations?
- 4. When do you expect to complete the review of all the claims, which the administrator promised?

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[cid:image002.jpg@01CE4BD2.51DB1250]

Dan Elliott 303-825-0123 (Office) Ex. 6 Personal Privacy (PP) Mobile)

delliott@ap.org<mailto:delliott@ap.org>

@DanElliottAP

http://bigstory.ap.org/content/dan-elliott

1120 Lincoln St. Suite 901 Denver, CO 80203

From: Elliott, Dan

Sent: Monday, March 12, 2018 1:21 PM

To: Bowman, Liz (Bowman.Liz@epa.gov) <Bowman.Liz@epa.gov> Subject: Questions about tort claims from Gold King Mine spill

Liz:

I'm following up on these four questions, which I sent to you last week, about the Gold King Mine tort claims. The story is tentatively scheduled to run tomorrow (March 13).

- 1. The tort claims spreadsheet the EPA gave me in response to my most recent FOIA says Jackson, Gilmour & Dobbs, PC, filed a claim for \$154,443,879 on behalf of the state of New Mexico. However, the firm's claim letter of May 12, 2016 (attached), which the EPA provided to me in response to an earlier FOIA request, said the state seeks \$130 million. Last week, Cholla Khoury of the New Mexico Attorney General's Office told me the state's tort claim remains \$130 million. Can you tell me why the EPA spreadsheet says \$154,443,879?
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Thank you.

Dan Elliott

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[cid:image002.jpg@01CE4BD2.51DB1250]

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1120 Lincoln St. Suite 901 Denver, CO 80203

From: Elliott, Dan

Sent: Thursday, March 08, 2018 11:28 AM

To: Bowman, Liz (Bowman.Liz@epa.gov<mailto:Bowman.Liz@epa.gov>)

<Bowman.Liz@epa.gov<mailto:Bowman.Liz@epa.gov>>

Subject: FW: A third follow-up question

Liz:

Two other questions have come up since my last email. In the tort claims spreadsheet the EPA gave me in response to my most recent FOIA request, two entries are incorrect, according to the parties that filed them:

- 1. The spreadsheet says Jackson, Gilmour & Dobbs, PC, filed a claim for \$154,443,879 on behalf of the state of New Mexico, but the firm's claim letter of May 12, 2016 (attached), which the EPA provided to me in response to an earlier FOIA request, said the state seeks \$130 million. On Tuesday, Cholla Khoury of the New Mexico Attorney General's Office told me the state's tort claim remains \$130 million. Can you tell me why the EPA spreadsheet says \$154,443,879?
- 2. The spreadsheet says Will Ferguson & Associates filed 11 claims for \$10 million each, two claims for \$5 million each and one for \$100 million. On Wednesday, Will Ferguson told me his firm's most recent revised claims do not include any for \$100 million. The original set of claims from the law firm did include at least one for \$100 million, but those were all revised downward. Can you tell me why the EPA spreadsheet still lists one for \$100 million? Is it possibly an obsolete claim from the firm's original submission?

Also, these two questions, which I submitted earlier, are still pending:

- 1. Was the six-month deadline to "act on claims under reconsideration" that Administrator Pruit mentioned in the Aug. 4, 2017, news release a self-imposed deadline or is it stated in federal law or EPA regulations?
- 2. When do you expect to complete the review of all the claims, which the administrator promised?

Thanks.

Dan Elliott

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[cid:image002.jpg@01CE4BD2.51DB1250]

Dan Elliott 303-825-0123 (Office) Ex. 6 Personal Privacy (PP) Mobile) delliott@ap.org<mailto:delliott@ap.org>
@DanElliottAP
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1120 Lincoln St. Suite 901 Denver, CO 80203

From: Elliott, Dan

Sent: Wednesday, March 07, 2018 11:06 AM

To: 'Bowman, Liz' <Bowman.Liz@epa.gov<mailto:Bowman.Liz@epa.gov>>

Subject: RE: A third follow-up question

Liz:

Understood, thanks. What about my first two follow-up questions?

- 1. Was the six-month deadline to "act on claims under reconsideration" that Administrator Pruit mentioned in the Aug. 4, 2017, news release a self-imposed deadline or is it stated in federal law or EPA regulations?
- 2. When do you expect to complete the review?

Dan Elliott

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[cid:image002.jpg@01CE4BD2.51DB1250]

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http://bigstory.ap.org/content/dan-elliott

1120 Lincoln St. Suite 901 Denver, CO 80203

From: Bowman, Liz < Bowman.Liz@epa.gov < mailto: Bowman.Liz@epa.gov >>

Sent: Wednesday, March 07, 2018 8:58 AM

To: Elliott, Dan <delliott@ap.org<mailto:delliott@ap.org>>

Subject: RE: A third follow-up question

Hi Dan – On Background (not for attribution): We encourage you to reach out to DOJ for this question, as the Federal Tort Claims Act applies to the entire federal government, not just EPA. Thanks – Liz

The FTCA states: "A tort claim against the United States shall be forever barred unless it is presented in writing to the appropriate Federal agency within two years after such claim accrues or unless action is begun within six months after the date of mailing, by certified or registered mail, of notice of final denial of the claim by the agency to which it was presented."

From: Elliott, Dan [mailto:delliott@ap.org]

Seife v. EPA (1:19-cv-05190)

9.1.2020

Sent: Tuesday, March 6, 2018 5:02 PM To: Bowman, Liz < Bowman.Liz@epa.gov < mailto: Bowman.Liz@epa.gov >> Subject: A third follow-up question Liz: In addition to the two questions in my earlier email, I have another: Did the statute of limitations for Gold King claims expire on Aug. 5? Can any more claims be filed? Dan Elliott [cid:image001.jpg@01CE4BD2.51DB1250] [cid:image002.jpg@01CE4BD2.51DB1250] Dan Elliott 303-825-0123 (Office) Ex. 6 Personal Privacy (PP) Mobile) delliott@ap.org<mailto:delliott@ap.org> @DanElliottAP http://bigstory.ap.org/content/danelliott<https://na01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fbigstory.ap.org%2Fcontent %2Fdanelliott&data=02%7C01%7Cdelliott%40ap.org%7C55e19f0f61b6449e10c408d5844441bc%7Ce442e1abfd6 b4ba3abf3b020eb50df37%7C1%7C0%7C636560351063819965&sdata=zQQsC51NLP8Tbez20RCcixGcBod J0DudG5mVEb2vSjk%3D&reserved=0> 1120 Lincoln St. Suite 901 Denver, CO 80203 From: Elliott, Dan Sent: Tuesday, March 06, 2018 12:15 PM To: 'Bowman, Liz' <Bowman.Liz@epa.gov<mailto:Bowman.Liz@epa.gov>> Subject: RE: Questions about damage claims from Gold King Mine spill Liz: Thank you for this. Two follow-up questions: 1. Was the six-month deadline to "act on claims under reconsideration" that Administrator Pruit mentioned in the Aug. 4, 2017, news release a self-imposed deadline or is it stated in federal law or EPA regulations? 2. When do you expect to complete the review?

Dan Elliott

Thanks.

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Dan Elliott

303-825-0123 (Office)

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delliott@ap.org<mailto:delliott@ap.org>

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1120 Lincoln St. Suite 901 Denver, CO 80203

From: Bowman, Liz < Bowman.Liz@epa.gov < mailto: Bowman.Liz@epa.gov >>

Sent: Monday, March 05, 2018 8:23 AM

To: Elliott, Dan < delliott@ap.org < mailto:delliott@ap.org >>

Cc: Abboud, Michael <abboud.michael@epa.gov<mailto:abboud.michael@epa.gov>>

Subject: RE: Questions about damage claims from Gold King Mine spill

H Dan -- To the first two questions, the Agency received hundreds of new claims during 2017, many of which were submitted after the administrator indicated in July 2017 that he would reconsider the previously denied claims. The 400-or-so number is correct. With regard to the last question: We are in the process of examining the merits of all of the claims not currently in litigation, including the supporting documentation submitted by the claimants.

Thank you – Liz

From: Elliott, Dan [mailto:delliott@ap.org]
Sent: Friday, March 2, 2018 12:54 AM

To: Bowman, Liz < Bowman.Liz@epa.gov < mailto: Bowman.Liz@epa.gov >>

Cc: Abboud, Michael <abboud.michael@epa.gov<mailto:abboud.michael@epa.gov>>

Subject: Re: Questions about damage claims from Gold King Mine spill

Liz:

Hoping to wrap up at noon ET Tuesday.

Dan

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iOS<https://na01.safelinks.protection.outlook.com/?url=https%3A%2F%2Faka.ms%2Fo0ukef&data=02%7C01%7Cdelliott%40ap.org%7C119deed99a7d432adb7408d582acfef5%7Ce442e1abfd6b4ba3abf3b020eb50df37%7C1%7C0%7C636558601904101568&sdata=HeM%2Flc1MNS2914%2Bamc4zOUTvVvFTHINEQUzCtSd8q80%3D&reserved=0>

From: Bowman, Liz < Bowman.Liz@epa.gov < mailto: Bowman.Liz@epa.gov >>

Sent: Thursday, March 1, 2018 6:37:16 PM

To: Elliott, Dan Cc: Abboud, Michael

Subject: Re: Questions about damage claims from Gold King Mine spill

Seife v. EPA (1:19-cv-05190)

Hi Dan - What's your deadline? I need to ask some folks here

On Mar 1, 2018, at 8:17 PM, Elliott, Dan <<u>delliott@ap.org</u><<u>mailto:delliott@ap.org</u>>> wrote: Michael, Liz:

We communicated last August about claims filed against the EPA for the Gold King Mine spill. I received a list of claims, attached, from the EPA today in response to a FOIA request. I have three questions for you:

### 1. An EPA news release

(http://bit.ly/2F4A43F<https://na01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fbit.ly%2F2F4A43F&data=02%7C01%7Cdelliott%40ap.org%7Cc1899502296145696f5208d57fde233f%7Ce442e1abfd6b4ba3abf3b020eb50df37%7C1%7C1%7C636555514432179910&sdata=qnxS4CGOZgKEHiLejnQTfTujtWdNkWukezp%2Bc2mT6d8%3D&reserved=0>) dated Aug. 4, 2017, stated, "There are currently 144 total claims pending, including the ones undergoing reconsideration, that require EPA action." However, list I received has 403 claims. Which is the correct number?

- 2. In January 2017, the EPA said it had received 73 claims. Why did the number change?
- 3. The Aug. 4 news release also stated, "EPA has six months (until the end of December) to act on claims under reconsideration." Six months from Aug. 4 would be Feb. 6, 2018. Either way, the six months has expired. Has EPA reached a decision on all the claims and, if so, what were the decisions?

Thank you.

Dan Elliott

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<image002.jpg>

Dan Elliott

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<image002.jpg>

<Tort claim letter from New Mexico.pdf>

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From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

 Sent:
 3/13/2018 10:31:32 PM

 To:
 Elliott, Dan [delliott@ap.org]

**Subject**: Re: Questions about tort claims from Gold King Mine spill

On background, not for attribution:

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Dan Elliott Associated Press

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http://bigstory.ap.org/content/dan-elliott

1120 Lincoln St. Suite 901 Denver, CO 80203

From: Elliott, Dan

Sent: Monday, March 12, 2018 1:21 PM

To: Bowman, Liz (<u>Bowman.Liz@epa.gov</u>) < <u>Bowman.Liz@epa.gov</u>> Subject: Questions about tort claims from Gold King Mine spill

Liz:

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Thank you.

Dan Elliott

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[cid:i

Dan Elliott
303-825-0123 (Office)

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http://bigstory.ap.org/content/dan-elliott

1120 Lincoln St. Suite 901 Denver, CO 80203

From: Elliott, Dan

Sent: Thursday, March 08, 2018 11:28 AM

To: Bowman, Liz (<u>Bowman.Liz@epa.gov</u><<u>mailto:Bowman.Liz@epa.gov</u>>)

<Bowman.Liz@epa.gov<mailto:Bowman.Liz@epa.gov>>

Subject: FW: A third follow-up question

Liz:

Two other questions have come up since my last email. In the tort claims spreadsheet the EPA gave me in response to my most recent FOIA request, two entries are incorrect, according to the parties that filed them:

- 1. The spreadsheet says Jackson, Gilmour & Dobbs, PC, filed a claim for \$154,443,879 on behalf of the state of New Mexico, but the firm's claim letter of May 12, 2016 (attached), which the EPA provided to me in response to an earlier FOIA request, said the state seeks \$130 million. On Tuesday, Cholla Khoury of the New Mexico Attorney General's Office told me the state's tort claim remains \$130 million. Can you tell me why the EPA spreadsheet says \$154,443,879?
- 2. The spreadsheet says Will Ferguson & Associates filed 11 claims for \$10 million each, two claims for \$5 million each and one for \$100 million. On Wednesday, Will Ferguson told me his firm's most recent revised claims do not include any for \$100 million. The original set of claims from the law firm did include at least one for \$100 million, but those were all revised downward. Can you tell me why the EPA spreadsheet still lists one for \$100 million? Is it possibly an obsolete claim from the firm's original submission?

Also, these two questions, which I submitted earlier, are still pending:

- 1. Was the six-month deadline to "act on claims under reconsideration" that Administrator Pruit mentioned in the Aug. 4, 2017, news release a self-imposed deadline or is it stated in federal law or EPA regulations?
- 2. When do you expect to complete the review of all the claims, which the administrator

promised?

Thanks.

Dan Elliott

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1120 Lincoln St. Suite 901 Denver, CO 80203

From: Elliott, Dan

Sent: Wednesday, March 07, 2018 11:06 AM

To: 'Bowman, Liz' <Bowman.Liz@epa.gov<mailto:Bowman.Liz@epa.gov>>

Subject: RE: A third follow-up question

Liz:

Understood, thanks. What about my first two follow-up questions?

- 1. Was the six-month deadline to "act on claims under reconsideration" that Administrator Pruit mentioned in the Aug. 4, 2017, news release a self-imposed deadline or is it stated in federal law or EPA regulations?
- 2. When do you expect to complete the review?

Dan Elliott

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[cid:i

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Suite 901 Denver, CO 80203

From: Bowman, Liz < Bowman.Liz@epa.gov < mailto: Bowman.Liz@epa.gov >>>

Sent: Wednesday, March 07, 2018 8:58 AM

To: Elliott, Dan < delliott@ap.org < mailto:delliott@ap.org >>

Subject: RE: A third follow-up question

Hi Dan – On Background (not for attribution): We encourage you to reach out to DOJ for this question, as the Federal Tort Claims Act applies to the entire federal government, not just EPA. Thanks – Liz

The FTCA states: "A tort claim against the United States shall be forever barred unless it is presented in writing to the appropriate Federal agency within two years after such claim accrues or unless action is begun within six months after the date of mailing, by certified or registered mail, of notice of final denial of the claim by the agency to which it was presented."

From: Elliott, Dan [mailto:delliott@ap.org] Sent: Tuesday, March 6, 2018 5:02 PM

To: Bowman, Liz < Bowman.Liz@epa.gov < mailto: Bowman.Liz@epa.gov >>>

Subject: A third follow-up question

Liz:

In addition to the two questions in my earlier email, I have another: Did the statute of limitations for Gold King claims expire on Aug. 5? Can any more claims be filed?

Dan Elliott

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[cid:i

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elliott<https://na01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fbigstory.ap.org%2Fcontent%2Fdan-

elliott&data=02%7C01%7Cdelliott%40ap.org%7C55e19f0f61b6449e10c408d5844441bc%7Ce4 42e1abfd6b4ba3abf3b020eb50df37%7C1%7C0%7C636560351063819965&sdata=zQQsC51NL P8Tbez20RCcixGcBodJ0DudG5mVEb2vSjk%3D&reserved=0>

1120 Lincoln St. Suite 901 Denver, CO 80203 From: Elliott, Dan

Sent: Tuesday, March 06, 2018 12:15 PM

To: 'Bowman, Liz' < <u>Bowman.Liz@epa.gov</u> < <u>mailto:Bowman.Liz@epa.gov</u> >> Subject: RE: Questions about damage claims from Gold King Mine spill

Liz:

Thank you for this. Two follow-up questions:

- 1. Was the six-month deadline to "act on claims under reconsideration" that Administrator Pruit mentioned in the Aug. 4, 2017, news release a self-imposed deadline or is it stated in federal law or EPA regulations?
- 2. When do you expect to complete the review?

Thanks.

Dan Elliott

[cid:image001.jpg@01CE4BD2.51DB1250] mage002.jpg@01CE4BD2.51DB1250] [cid:i

Dan Elliott

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http://bigstory.ap.org/content/dan-

elliott<https://na01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fbigstory.ap.org%2Fcontent%2Fdan-

elliott&data=02%7C01%7Cdelliott%40ap.org%7C55e19f0f61b6449e10c408d5844441bc%7Ce4 42e1abfd6b4ba3abf3b020eb50df37%7C1%7C0%7C636560351063819965&sdata=zQQsC51NL P8Tbez20RCcixGcBodJ0DudG5mVEb2vSjk%3D&reserved=0>

1120 Lincoln St. Suite 901 Denver, CO 80203

From: Bowman, Liz < Bowman.Liz@epa.gov < mailto: Bowman.Liz@epa.gov >>>

Sent: Monday, March 05, 2018 8:23 AM

To: Elliott, Dan <<u>delliott@ap.org</u><<u>mailto:delliott@ap.org</u>>>

Cc: Abboud, Michael <abboud.michael@epa.gov<mailto:abboud.michael@epa.gov>>

Subject: RE: Questions about damage claims from Gold King Mine spill

H Dan -- To the first two questions, the Agency received hundreds of new claims during 2017, many of which were submitted after the administrator indicated in July 2017 that he would reconsider the previously denied claims. The 400-or-so number is correct. With regard to the last question: We are in the process of examining the merits of all of the claims not currently in litigation, including the supporting documentation submitted by the claimants.

Thank you – Liz

From: Elliott, Dan [mailto:delliott@ap.org] Sent: Friday, March 2, 2018 12:54 AM

To: Bowman, Liz <Bowman.Liz@epa.gov<mailto:Bowman.Liz@epa.gov>>

Cc: Abboud, Michael <a href="mailto:abboud.michael@epa.gov">abboud.michael@epa.gov</a>>>

Subject: Re: Questions about damage claims from Gold King Mine spill

Liz:

Hoping to wrap up at noon ET Tuesday.

Dan

Get Outlook for

iOS<https://na01.safelinks.protection.outlook.com/?url=https%3A%2F%2Faka.ms%2Fo0ukef&data=02%7C01%7Cdelliott%40ap.org%7C119deed99a7d432adb7408d582acfef5%7Ce442e1abfd6b4ba3abf3b020eb50df37%7C1%7C0%7C636558601904101568&sdata=HeM%2Flc1MNS2914%2Bamc4zOUTvVvFTHINEQUzCtSd8q80%3D&reserved=0>

From: Bowman, Liz < Bowman.Liz@epa.gov < mailto: Bowman.Liz@epa.gov >>>

Sent: Thursday, March 1, 2018 6:37:16 PM

To: Elliott, Dan Cc: Abboud, Michael

Subject: Re: Questions about damage claims from Gold King Mine spill

Hi Dan - What's your deadline? I need to ask some folks here

On Mar 1, 2018, at 8:17 PM, Elliott, Dan <<u>delliott@ap.org</u><<u>mailto:delliott@ap.org</u>>> wrote: Michael, Liz:

We communicated last August about claims filed against the EPA for the Gold King Mine spill. I received a list of claims, attached, from the EPA today in response to a FOIA request. I have three questions for you:

# 1. An EPA news release

(http://bit.ly/2F4A43F<https://na01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fbit.ly%2F2F4A43F&data=02%7C01%7Cdelliott%40ap.org%7Cc1899502296145696f5208d57fde233f%7Ce442e1abfd6b4ba3abf3b020eb50df37%7C1%7C1%7C636555514432179910&sdata=qnx S4CGOZgKEHiLejnQTfTujtWdNkWukezp%2Bc2mT6d8%3D&reserved=0>) dated Aug. 4, 2017, stated, "There are currently 144 total claims pending, including the ones undergoing reconsideration, that require EPA action." However, list I received has 403 claims. Which is the correct number?

- 2. In January 2017, the EPA said it had received 73 claims. Why did the number change?
- 3. The Aug. 4 news release also stated, "EPA has six months (until the end of December) to act

on claims under reconsideration." Six months from Aug. 4 would be Feb. 6, 2018. Either way, the six months has expired. Has EPA reached a decision on all the claims and, if so, what were the decisions?

Thank you.

Dan Elliott

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<imag

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elliott<a href="https://na01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fbigstory.ap.org%2F">elliott<a href="https://na01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fbigstory.ap.org%2F</a>

elliott&data=02%7C01%7Cdelliott%40ap.org%7Cc1899502296145696f5208d57fde233f%7Ce4 42e1abfd6b4ba3abf3b020eb50df37%7C1%7C0%7C636555514432179910&sdata=CXa%2F%2 BkmCR72ZCD8SChRYmuO5k1EfptRJYKb2ToNZYfQ%3D&reserved=0>

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- <image001.jpg>
- <image002.jpg>
- <Tort claim letter from New Mexico.pdf>

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

**Sent**: 3/29/2018 10:19:05 PM

To: Bolen, Brittany (bolen.brittany@epa.gov) [bolen.brittany@epa.gov]; Gunasekara, Mandy

[Gunasekara.Mandy@epa.gov]; Wehrum, Bill [Wehrum.Bill@epa.gov]

Subject: For Review: MTE Release -- CLOSE HOLD

Attachments: MTE Draft comms.docx

Attached, please find the updated version of the MTE release for Monday, after it's signed. I understand some of this information is still pending, but want to get the draft ready to go. Please review this and keep a close hold on the release.

Thank you,

Liz

Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP From:

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

2/15/2018 8:38:00 PM Sent:

To: Michael Bastasch [mike@dailycallernewsfoundation.org]

Subject: FW: Any idea what this means?

Hi Mike – On background (not for attribution): This is an effort to streamline SIP reporting requirements, related to proving compliance with NAAQS. States and MPOs have to prove that their transportation activities "conform" to Clean Air Act requirements through the submission of complicated and costly reports/SIPs – in technical speak this process is referred to as conformity.

For the transition from 2008 to 2015 ozone standard, the issue of how to revoke the prior standard will be addressed in final implementation/SIP requirements rule.

For background on issue from the associations representing MPOs and state transportation officials: https://www.regulations.gov/contentStreamer?documentId=EPA-HQ-OAR-2016-0202-0068&attachmentNumber=1&contentType=pdf

Thanks – Liz

From: Michael Bastasch [mailto:mike@dailycallernewsfoundation.org] **Sent:** Monday, February 12, 2018 12:04 PM To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov> **Subject:** Any idea what this means?

Hey guys,

On pg. 44 of the infrastructure plan, it talks about Clean Air Act NAAQS reviews. The wording is a little vague so I'm not sure what it's specifically referring to. Do you guys have any more detail or explanation on what's

ASTRUCTURE-211.pdf

going on?	
https://www.whitehouse.gov/wp-content/uploads/2018/02/I	NFR.
Let me know. Thanks!	
Best,	
Mike	
Michael Bastasch	
Daily Caller News Foundation	
Daily Canci News Foundation	
The first of the f	
1	

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

**Sent**: 3/28/2018 11:05:45 AM

**To**: Alex Guillen [aguillen@politico.com]

**Subject**: Re: Water Gen grant

Thanks for the update; I don't have any additional comment on the other questions.

On Mar 27, 2018, at 11:48 PM, Alex Guillen <a guillen@politico.com > wrote:

My apologies for the late email, but I wanted to update you immediately. The WSJ ran a story on this tonight, so my editors have moved the timetable and we plan to run a story in the early morning, including in Morning Energy, noting everything you shared already. I wanted to update you since the timing of my story changed because of the Journal's story. I would love to update the story with answers to my below questions once they are available, of course.

From: Alex Guillen

Sent: Tuesday, March 27, 2018 10:01 PM To: 'Bowman, Liz' < Bowman.Liz@epa.gov>

Cc: Press <<u>Press@epa.gov</u>>
Subject: RE: Water Gen grant

Hi Liz, I have some follow-up questions (I'm writing a story tomorrow morning but wanted to get these to you as soon as possible, so I understand if there's no response tonight).

Can I please get a copy of the CRADA?

Could you please share a copy of the announcement of the availability last fall? There was a mention on this page but the page where the details were is now empty.

If the CRADA was signed in January, why did EPA announce it two months later?

Can you name the other companies EPA discussed this technology with?

What does a GEN-350 typically cost? It looks like the device EPA is testing is a loaner, but I'm interested to know what it costs so I can better describe it.

Administrator Pruitt's schedule indicates he met on March 29, 2017, with executives from Water-Gen. Was the possibility of a research agreement discussed at that time? Was the idea to research this technology inspired by or connected to that meeting? His schedule also indicates the meeting was arranged by Sheldon Adelson. What is his involvement with the company? Has the administrator taken other meeting's at Adelson's request? Has he met with or communicated with Adelson directly as administrator?

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]

**Sent:** Tuesday, March 27, 2018 9:05 PM **To:** Alex Guillen <a href="mailto:aguillen@politico.com">aguillen@politico.com</a>

Cc: Press < Press@epa.gov>
Subject: Re: Water Gen grant

Hi Alex, we will send you the release ... some additional information on background, not for attribution:

In general, the Federal Technology Transfer Act authorizes the use of a Cooperative Research and Development Agreement (CRADA), which is a collaborative research partnership between an EPA lab or office and one or more external parties, such as universities, companies, governmental organizations, or trade associations.

- A CRADA typically sets forth the framework for the collaboration with the goal of evaluating, assessing, or develop new technology.
- · In August 2017, EPA's Office of Research and Development publicly announced that it was seeking to establish a CRADA with up to four non-federal partners for the purpose of investigating the potential use of atmospheric water generators (AWGs) in "expanding the availability of water during shortages, contamination events and other interruptions of service."
- EPA engaged in discussions with a number of companies developing AWGs about participation in this CRADA. [NOTE: we discussed this with at least four companies, including Water-Gen].
- In January 2018, EPA signed a CRADA with Water-Gen, a corporation developing AWG technology, to evaluate their GEN-350 system.
- EPA remains open to working with other entities that are interested in participating in this research effort.
- · Water-Gen agreed to transfer on a temporary basis one AWG unit to EPA for a period of at least three months for testing. Testing of the AWG technology will take place at EPA's Cincinnati facility.
- The CRADA and Material Transfer Agreement between EPA and Water-Gen did not involve the transfer of any funds to or from EPA.
- The CRADA spells out the rights of the Company and EPA for any technology advancements developed during this cooperative testing process, and the agreement states explicitly that it does not constitute regulatory or scientific approval of the use of any particular product or technology by EPA.

On Mar 27, 2018, at 7:33 PM, Alex Guillen <aguillen@politico.com> wrote:

Hi all,

I saw an Examiner story that EPA has granted money to the company Water-Gen. https://www.washingtonexaminer.com/policy/energy/scott-pruitt-teams-up-with-israeli-company-on-water-supply

I don't seem to have received a release about it and I don't see any news on EPA's site. Can you please share any information available?

Thank you,

Alex Guillén
Energy Reporter
POLITICO *Pro*(o) 703.341.4619 | (c) Ex. 6 Personal Privacy (PP)

 $\underline{aguillen@politico.com} \mid @alexcguillen$ 

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

**Sent**: 1/25/2018 11:55:07 PM

**To**: Dennis, Brady [Brady.Dennis@washpost.com]; Eilperin, Juliet [Juliet.Eilperin@washpost.com]

**Subject**: RE: EMBARGOED DRAFT

As of right now, no. I apologize

From: Dennis, Brady [mailto:Brady.Dennis@washpost.com]

Sent: Thursday, January 25, 2018 6:43 PM

To: Eilperin, Juliet <Juliet.Eilperin@washpost.com>; Bowman, Liz <Bowman.Liz@epa.gov>

**Subject:** RE: EMBARGOED DRAFT

Just checking one last time – is this coming tonight or no?

Have to know in order to make print decision for the evening. Thanks.

From: Eilperin, Juliet

Sent: Thursday, January 25, 2018 6:25 PM

To: Bowman, Liz <<u>Bowman, Liz@epa.gov</u>>
Cc: Dennis, Brady <<u>Brady, Dennis@washpost.com</u>>

**Subject:** RE: EMBARGOED DRAFT

We can try. So it isn't coming out today? Thanks.

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Thursday, January 25, 2018 6:21 PM
To: Eilperin, Juliet <Juliet.Eilperin@washpost.com>
Cc: Dennis, Brady <Brady.Dennis@washpost.com>
Subject: Re: EMBARGOED DRAFT

Yes I'm sorry, can you pull it?

Sent from my iPhone

On Jan 25, 2018, at 6:13 PM, Eilperin, Juliet < Juliet. Eilperin@washpost.com > wrote:

Ok. The only issue is we've budgeted this for the print edition, so if we need to pull it, it would be great to know ASAP. Thanks.

On Jan 25, 2018, at 6:05 PM, Bowman, Liz < Bowman.Liz@epa.gov> wrote:

Oh sorry, this release is actually fluid/we are editing it. Not sure on timing, will let you know ASAP.

Sent from my iPhone

On Jan 25, 2018, at 6:01 PM, Dennis, Brady <<u>Brady.Dennis@washpost.com</u>> wrote:

Just checking — still 7:30 pm embargo on Bristol? We were planning a short story. Thanks.

Brady Dennis
The Washington Post
202-334-7745
brady.dennis@washpost.com
@brady\_dennis

On Jan 25, 2018, at 11:51 AM, Bowman, Liz <<u>Bowman, Liz@epa.gov</u>> wrote:

Sorry for the change here – but we are changing the embargo to 730 p.m. due to timing with the Region and Alaska – we are also trying to make a big announcement on air issues this afternoon. I am working on that now, but that's something that I really think Brady/you would be interested in...we can walk you through that today, actually around 2 p.m. with Bill Wehrum, if you are interested...

On the fishing...yes, he fished in Bristol Bay and I think he said he caught at 31" rainbow trout

From: Bowman, Liz
Sent: Wednesday, January 24, 2018 8:56 PM
To: Eilperin, Juliet < Juliet. Eilperin@washpost.com >
Cc: Dennis, Brady < Brady. Dennis@washpost.com >
Subject: Re: EMBARGOED DRAFT

We think so but need to confirm w him tomorrow am

Sent from my iPhone

On Jan 24, 2018, at 8:42 PM, Eilperin, Juliet <<u>Juliet.Eilperin@washpost.com</u>> wrote:

Thanks Liz. Brady and I will confer later tonight how to work on this, and will obviously not post anything until we get a specific embargo time from you.

And if there's a way to get an answer tomorrow am to that question I asked you, about the Administrator having gone to Bristol Bay in the past, that would be great. Thanks.

From: Bowman, Liz
[mailto:Bowman,Liz@epa.gov]

Seife v. EPA (1:19-cv-05190) 9.1.2020 ED\_003047\_00006898-00002

Sent: Wednesday, January 24, 2018 8:37 PM
To: Eilperin, Juliet
<Juliet\_Eilperin@washpost.com>;
Dennis, Brady
<Brady.Dennis@washpost.com>
Subject: EMBARGOED DRAFT

DRAFT – EMBARGOED FOR 3 pm JANUARY 25, 2018 – DRAFT

Pruitt Upholds
Due Process and
the Rule of Law

EPA decides not to withdraw proposed Clean Water Act restrictions for Pebble Mine in Alaska's Bristol Bay watershed

WASHINGTON - After receiving more than one million comments from the public and consulting with tribal governments and other stakeholders, the U.S. Environmental **Protection Agency** (EPA) has decided not to withdraw the July 2014 Clean Water Act Proposed Determination for the development of a copper and gold mine at the Pebble deposit

in Alaska's Bristol Bay watershed.

"Today's decision first and foremost upholds the rule of law and due process," said **EPA Administrator** Scott Pruitt. "It gives all parties additional time to determine how best to move forward on the Pebble Mine after extensive environmental analysis, as required under the regular permitting process."

Today's decision means that the permit review process for Pebble Limited Partnership (PLP) will continue, while EPA continues to work with federal, state, and tribal partners.

In December 2017, the PLP submitted a Clean Water Act Section 404 permit application to the U.S. Army Corps of Engineers (Army Corps) to develop a mine at the Pebble deposit. EPA stands ready to work closely with PLP, the Army

Corps and other stakeholders on the review of this permit application, including the Army Corps development of a robust Environmental Impact Statement (EIS) for the proposed mine that will ensure the world-class fisheries in the Bristol Bay region are protected.

EPA will not move forward with any action toward finalizing the Proposed Determination until after May 11, 2021, or the Army Corps releases a final EIS for the mine project, whichever comes first. This is in line with commitments EPA made in a May 2017 settlement agreement resolving outstanding lawsuits between PLP and EPA. If after May 11, 2021 or after a final EIS for the Pebble Mine is released, the Agency decides to finalize its Proposed Determination, it could impose restrictions on the discharge of dredged or fill material associated with development of the Pebble Mine in

Alaska's Bristol Bay watershed.

Throughout the course of this process, EPA has consulted with federally recognized tribal governments of the Bristol Bay region and Alaska Native Corporations with lands in the Bristol Bay watershed. The public comment period and tribal consultation process also allowed EPA to hear directly from the public. EPA will continue working with these groups as this process moves forward.

# Background

In 2014, EPA's Region 10 completed an assessment of the Bristol Bay watershed and issued a Clean Water Act Section 404(c) Proposed Determination to restrict discharges of dredge or fill material into the watershed from mining the Pebble deposit. Section 404 is the part of the Clean Water Act that governs the permit evaluation process

for actions that
discharge dredged or
fill material into
waters of the United
States. This action
was controversial
because EPA has
almost never
exercised this
authority before a
permit application
was filed with the
Corps, and many felt
it effectively blocked
PLP from applying.

EPA agreed to initiate a process to propose to withdraw the Proposed Determination as part of a May 11, 2017 settlement agreement with PLP, whose subsidiaries own the mineral claims to the Pebble deposit. The agreement provides Pebble additional time to apply for a Clean Water Act 404 permit from the U.S. Army Corps of Engineers before EPA moves any further with its Clean Water Act Section 404(c) review. PLP has now filed its application with the Corps, and the Corps will review that application, with EPA's continuing advice.

Additional information:
www.epa.gov/bristol bay [epa.gov]

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

**Sent**: 2/5/2018 5:01:57 PM

To: Dravis, Samantha [dravis.samantha@epa.gov]

Subject: Re: Dinner invite details

Will do.

Sent from my iPhone

On Feb 5, 2018, at 12:01 PM, Dravis, Samantha <a href="mailto:dravis.samantha@epa.gov">dravis.samantha@epa.gov</a>> wrote:

Pls keep close hold; I told Daniel we would get back to him with a date that works for SP and that it will be me, you, SP.

Sent from my iPad

Begin forwarded message:

From: "Dravis, Samantha" <dravis.samantha@epa.gov>

**Date:** February 5, 2018 at 11:39:25 AM EST **To:** Daniel Lippman < <u>dlippman@politico.com</u>>

Subject: Re: Dinner invite details

Hi Daniel! Talked to our coms director about this and we think it's a good idea. I'll ask SP later today. Is it just any date that works for him, or are there certain dates?

Sent from my iPad

On Feb 5, 2018, at 6:50 AM, Daniel Lippman < <u>dlippman@politico.com</u>> wrote:

Hey Samantha,

It was great to see you this weekend!

As I mentioned, I was wondering if Scott might be willing to be the special guest at an off-the-record dinner society at a condo at the Ritz Carlton residences for some of Washington's top young reporters and a special guest.

It's called the Churchill Tommy Gun Society based on a picture that hangs on the condo's wall and special guests have included everyone from Interior Secretary Ryan Zinke to retired Gen. David Petraues to Mark Cuban to Joe Scarborough to Sen. Tom Cotton to Sen. Ben Sasse to NBC sportscaster Bob Costas, among many others. Besides me, the other hosts are Jamie Weinstein and Michelle Fields.

The reporters and commentators who attend are always among the most important young journalists covering politics, with outlets like the Washington Post, CNN, Axios and The Daily Beast, among others, always represented.

Would love to have your boss to be a guest if you would be kind enough to ask him and if he's interested, see about scheduling.

Thank you for the consideration.

Best,
Daniel, cell Ex.6 Personal Privacy (PP)

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

**Sent**: 4/19/2018 7:40:34 PM

To: Niina Heikkinen [nheikkinen@eenews.net]
Subject: RE: Nancy Beck concerns on impacts of

Hi Niina -- These discussions are part of the deliberative process; the policy is still being developed. It's important to understand; however, that any standards for protecting CBI would be the same for all stakeholders. Thanks – Liz

# On background (not for attribution):

The policy is that EPA is working on is with regard to the underlying data. The Agency always sees the CBI, to consider in their analysis. this is more about what would be shared with the public (for the sake of possible reproducibility) – it is not a double standard with regard to what we will evaluate.

From: Niina Heikkinen [mailto:nheikkinen@eenews.net]

Sent: Thursday, April 19, 2018 3:36 PM

To: Bowman, Liz <Bowman.Liz@epa.gov>

Subject: Nancy Beck concerns on impacts of

Hello,

Through FOIA'd documents we've come to understand there has been some internal concerns about the implications of requiring data to be public for creating regulations. Nancy Beck had specifically mentioned concerns about costs related to pesticide registrations and implementation of TSCA. Is EPA considering the possibility of not requiring all data available up front, but rather being able to collect data it needs on a need to know basis?

Does EPA have any comment on accepting Rep. Lamar Smith's pitch to consider "secret science," and what the timeline is for the agency to move forward on seeking public comment on this plan?

I'm working on an article for tomorrow.

Best,

Niina Heikkinen
E&E News reporter
202-737-3715 (w)

Ex. 6 Personal Privacy (PP) (c)

@nhheikkinen

Skype: niina.h.heikkinen

# **E&E NEWS**

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Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

To: Kissel, Mary[mary.kissel@wsj.com]

From: Bowman, Liz[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

Sent: Thur 1/25/2018 9:08:38 PM (UTC)
Subject: RE: EPA Air Memo Attached

Additional Information (background, not for attribution):

## **Background:**

Section 112 of the Clean Air Act defines a major source of hazardous air pollutants (HAP) as one that emits 10 tons per year or more of any single HAP or 25 tons per year or more of any combination of HAP. Major sources are subject to Maximum Achievable Control Technology (MACT) standards which reflect the level of control achieved by the best controlled sources in a category.

Shortly after EPA began implementing emissions standards to control HAP, the Agency received multiple requests to clarify whether a major source could avoid requirements applicable to major sources by taking measures to limit its potential-to-emit (PTE) below the CAA major source emissions thresholds. In May 1995, the EPA produced the "Potential to Emit for MACT Standards – Guidance on Timing Issues" memorandum, commonly referred to as the "once-in-always-in" policy. At that time, EPA took the position that facilities that are major sources of HAP on the first substantive compliance date of an applicable major source MACT standard must comply "permanently" with that standard even if the source were subsequently to become an area source by limiting its PTE. In response to E.O. 13777 and 13783, EPA received comments on the need to revise this 1995 policy. As a result, EPA reviewed this policy.

## **Questions and Answers**

## What does the guidance memo mean?

This guidance memorandum addresses the question of when a major source subject to a maximum achievable control technology (MACT) standard under section 112 of the Clean Air Act (CAA) may be reclassified as an area source, and thereby avoid being subject thereafter to major source MACT and other requirements applicable to major sources under CAA section 112.

## Why is EPA rescinding the memo?

The Agency has determined that it had no statutory authority under the Clean Air Act to place a time limit on when a facility may be determined to be an area source, and that a plain language reading of the Act must allow facilities to be reclassified as area sources once their potential to emit hazardous air pollutants falls below the levels that define major sources.

EPA has now determined that a major source which limits its potential to emit (PTE) so as to bring its hazardous air pollutant (HAP) emissions below the applicable threshold becomes an area source, no matter when the source may choose to take measures to limit its PTE. That source, now having area source status, will not be subject to major source requirements, in particular, major source maximum achievable control technology (MACT) standards – so long as the source's PTE remains below the applicable HAP emission thresholds.

By removing unnecessary monitoring, recordkeeping, and reporting associated with being a major source, this revised guidance will relieve compliance and expense burden from regulated entities.

## How can EPA change its position on Once In, Always In (OIAI)?

EPA can withdraw the OIAI policy through this guidance memorandum because it is not a regulation and not subject to rulemaking. EPA has determined that the OIAI policy articulated in the 1995 Seitz memo is contrary to the plain language of the Clean Air Act, and, therefore, must be withdrawn.

## Does the Clean Air Act (CAA) support the Once In, Always In (OIAI) policy as laid out in the 1995 memo?

In short, Congress placed no temporal limitations on the determination of whether a source emits or has the potential to emit hazardous air pollutants in sufficient quantity to qualify as a major source. To the extent the Once In, Always In policy imposed such a temporal limitation (i.e., before the "first compliance date"), EPA had no authority to do so under

the plain language of the statute.

# What source categories might be helped by this revised policy?

**Example 1:** As a specific example, EPA surveyed sources subject to the Aerospace NESHAP. Out of 233 respondents only 99 of the sources are true major sources today. Reformulation is the primary method of compliance in the coatings sector. In the case of the Aerospace NESHAP most facilities reduced HAP emissions to area source levels through formulation. In the case of wood furniture specifically, once a facility converts to low-HAP coatings it makes little sense to revert back to higher HAP coatings.

Example 2: Methyl tertiary-butyl ether (MTBE), a hazardous air pollutant (HAP) under the Clean Air Act (CAA), had been used in U.S. gasoline at low levels since 1979 to replace lead as an octane enhancer. Between 1992-2005, MTBE was used at higher concentrations in some gasoline to fulfill the oxygenate requirements set by Congress in the 1990 CAA. In 1994, the EPA issued a Maximum Achievable Control Technology (MACT) standard for gasoline distribution (Stage 1), covering bulk terminals and breakout stations. The MACT standard established the first substantive compliance date of December 15, 1997. Sources unable to limit their PTE before December 15, 1997, are required to comply with the MACT and could not be reclassified as area sources in the future. In 2005, Congress passed the Energy Policy Act that removed the oxygenate requirement for reformulated gasoline (RFG). At the same time, Congress also instituted a renewable fuel standard. In response, refiners made a wholesale switch removing MTBE and blending fuel with ethanol. MTBE has not been used in significant quantities in RFG areas since 2005 and a similar decrease in use has also been observed in conventional gasoline areas. For some of the facilities subject to these standards, the absence of MTBE may have made them an area source; however, they are still subject to the recordkeeping and reporting requirements of the MACT standard. There is a companion area source standard based on GACT that excludes affected sources from the requirement to obtain a title V permit.

From: Kissel, Mary [mailto:mary.kissel@wsj.com]

**Sent:** Thursday, January 25, 2018 3:49 PM **To:** Bowman, Liz <Bowman.Liz@epa.gov> **Subject:** Re: EPA Air Memo Attached

Thank you

On Thu, Jan 25, 2018 at 3:48 PM, Bowman, Liz < Bowman Liz@epa.gov > wrote:

--

Mary E. Kissel Editorial Board Member, The Wall Street Journal. 1211 Avenue of the Americas, New York, NY 10036 Office: +1 212 416-3121 Twitter: @marykissel **To:** Davidson, Joe[joe.davidson@washpost.com]

From: Bowman, Liz[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

Sent: Wed 4/18/2018 8:45:23 PM (UTC)
Subject: FW: Pruitt and EPA pay raises

Administratively Determined Positions Legislative History.pdf

Administratively Determined Positions.pdf

Hi Joe – If you don't mind, could you please give me a call at [EX.5 Deliberative Process (DP)] to walk you through that document? In addition to what Jahan sent you, we want to be sure you have the following additional background on this issue:

# Background (not for attribution):

The White House Office of Presidential Personnel approves all Schedule C and SES appointees, and any raises associated with those moves. As you are probably aware, based on your focus on federal government issues, SES employees are executive positions with managerial responsibilities, and the most recent (2018) pay scale is below. Raises in that report that correspond with a move to SES would not only be approved by the White House, but – as Jahan's statement explains – are due to promotions and to ensure equal (to the extent possible) pay among other EPA SES employees with equivalent managerial/executive responsibilities.

Level Description	Minimum Salary	Maximum Salary
Agencies with a Certified SES Performance Appraisal System	\$126,148	\$189,600
Agencies without a Certified SES Performance Appraisal System	\$126,148	\$174,500

Attached is the actual legislative history of the 1977 Safe Drinking Water Act, also attached is Agency policy on AD's – since at least the last administration.

Attached please find a two-pager of a policy that EPA has used since it appears, in 2010, on how AD's are hired and what they can do. A second attachment shows the legislative history of the 1977 Safe Drinking Water Act section authorizing these hires and the discussion of the flexibility the SDWA provides. The actual legislative text of the 1977 SDWA explains:

"To the extent that the Administrator of the Environmental Protection Agency deems such action necessary to the discharge of his functions under title XIV of the Public Health Service Act [42 U.S.C. 300f et seq.] (relating to safe drinking water) and under other provisions of law, he may appoint personnel to fill not more than thirty scientific, engineering, professional, legal, and administrative positions within the Environmental Protection Agency without regard to the civil service laws and may fix the compensation of such personnel not in excess of the maximum rate payable for GS–18 of the General Schedule under section 5332 of title 5."

EPA has long interpreted this section to mean these 30 people can be hired to perform the Administrator's functions under the SDWA, and under other provisions of any other EPA enforced statute to perform a wide variety of functions within the Agency – from support staff to science staff to legal staff.

Thank you, Liz

From: Wilcox, Jahan

Sent: Wednesday, April 18, 2018 4:11 PM

To: Davidson, Joe < joe.davidson@washpost.com>; Press < Press@epa.gov>

**Subject:** RE: Pruitt and EPA pay raises

"Salary determinations for appointees are made by EPA's chief of staff, White House liaison, and career human resources officials. Salaries are based on work history; and, any increases are due to either new and additional responsibilities or promotions. Salary determinations are made to avoid disparities among positions of equivalent or similar responsibilities, to the extent possible. Offices within the Agency have already been responsive to the Inspector General's inquiries concerning administratively determined positions and will continue to provide information for any future inquiries." — EPA spokesperson Jahan Wilcox

### **BACKGROUND** ...

Congress through the Safe Drinking Water Act authorizes the EPA Administrator the ability to hire up to 30 employees to fill: scientific, engineering, professional, legal, and administrative positions within the EPA. "§ 300j–10.

Appointment of scientific, etc., personnel by Administrator of Environmental Protection Agency for implementation of responsibilities; compensation. To the extent that the Administrator of the Environmental Protection Agency deems such action necessary to the discharge of his functions under title XIV of the Public Health Service Act [42 U.S.C. 300f et seq.] (relating to safe drinking water) and under other provisions of law, he may appoint personnel to fill not more than thirty scientific, engineering, professional, legal, and administrative positions within the Environmental Protection Agency without regard to the civil service laws and may fix the compensation of such personnel not in excess of the maximum rate payable for GS–18 of the General Schedule under section 5332 of title 5." (Safe Drinking Water Amendments of 1977, Accessed 04/17/18)

Stan Meiburg, who spent 39 years at EPA, including as acting deputy administrator in the Obama administration, said the use of AD hires have been used by both parties. "It has been done by both parties, so it has been ratified over time. ... These are highly prized positions because you can bring people in without having to go through the usual competition process." (<u>E&E News</u>, 04/04/18)

• Meiburg added that both the George W. Bush and Barack Obama used AD hires. "He recalled some of those hires landing as political aides to EPA regional chiefs during those administrations. Meiburg said it made sense that the Trump administration would use the hiring authority for political aides like press officials and schedulers to assist Pruitt." (<u>E&E News</u>, 04/04/18)

From: Davidson, Joe [mailto:joe.davidson@washpost.com]

Sent: Wednesday, April 18, 2018 4:08 PM

**To:** Press < <u>Press@epa.gov</u>> **Subject:** Pruitt and EPA pay raises

Hello EPA,

I'm working on a Washington Post Federal Insider column related to the <u>EPA OIG management alert</u> on large pay increases for top agency staffers. Five employees received percentage increases of 20.9, 23.9, 25.1, 67.6 and 72.3.

This information has drawn criticism from various quarters, including EPA staffers and union representatives. For example, John O'Grady, President AFGE National Council of EPA Locals #238, said "If this White House wants to set backward public confidence in our federal government for decades, Scott Pruitt's hiring practices and liberal pay raises ought to do it. Truth contradicts Mr. Pruitt's claims of being out of the loop. So, we must challenge the administrator as he personally signed off on raises that range from 25 percent to 72 percent. It makes me wonder, was Pruitt incentivizing new hires before they performed their jobs. That's another reason to 'boot Pruitt.'"

What is EPA's reaction to O'Grady's comment?

What message do the raises for a few individuals and the proposed freeze and cuts send to federal employees?

How does EPA justify such large pay raises for a few?

How are the multiple reports about Administrator Pruitt's "swampy behavior," as a <u>Washington Post</u> editorial described it, affecting EPA employee morale?

I'd appreciate a response by late Thursday morning because I will file my column that afternoon.

Thank you.

Best, Joe

Joe Davidson, columnist
The Washington Post
1150 15<sup>th</sup> Street, NW
Washington, DC 20071
202.334.6415 – work

Ex. 6 Parsonal Privacy (PP) — cell
joe.davidson@washpost.com

Twitter: @JoeDavidsonWP Website: wapo.st/JoeDavidson

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

**Sent**: 4/4/2018 7:52:52 PM

To: Osborne, James [James.Osborne@chron.com]

**Subject**: RE: RIN exemptions

2016 was roughly 20; 2017 is 25 thus far.

From: Osborne, James [mailto:James.Osborne@chron.com]

**Sent:** Wednesday, April 4, 2018 3:36 PM **To:** Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: RIN exemptions

Liz,

Circling back on this. We're getting ready to post the story online, so need to be sure these numbers are right.

James

From: Osborne, James

Sent: Wednesday, April 04, 2018 1:48 PM To: 'Bowman, Liz' < Bowman. Liz@epa.gov>

Subject: RE: RIN exemptions

So 25 for 2017, and then 25-30 for 2016?

Double checking because Bill said only "a few" 2017 waivers had been granted so far.

James

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Wednesday, April 04, 2018 11:22 AM

To: Osborne, James < James. Osborne@chron.com >

Subject: RE: RIN exemptions

Hi James – Let me check on the 2016 exemptions, here is an additional quote/background. These 25 are for calendar year 2017.

"The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, established process where the Agency uses a DOE analysis to inform decisions about refiner exemptions/waivers. These waivers are only considered for refineries that submit applications and that are below the blending threshold," **EPA spokesperson, Liz Bowman** 

On background (not for attribution): DOE's analysis is developed based on information submitted to EPA, and DOE provides a recommendation with regard to the waiver. While the applications continue to come in, EPA has granted roughly 25 so far. We do not have specifics on overall refining capacity.

From: Osborne, James [mailto:James.Osborne@chron.com]

**Sent:** Wednesday, April 4, 2018 11:01 AM **To:** Bowman, Liz <<u>Bowman, Liz@epa.gov</u>>

Subject: Re: RIN exemptions

Liz,

Will you be able to get me the exact number of 2016 exemptions, which bill said he would provide today.

Also, any chance he could add a little to his quote about why exemptions have increased. Right now all I have is "nothing has changed."

Thanks,

James

On Apr 3, 2018, at 3:42 PM, Osborne, James < James.Osborne@chron.com > wrote:

How about this afternoon before 6pm? Or tomorrow morning, either before 11am or after 12:30pm?

James

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]

Sent: Tuesday, April 03, 2018 3:36 PM

To: Osborne, James < James. Osborne@chron.com>

Subject: FW: RIN exemptions

HI James – I can schedule a call with you and Bill, our head of air, to walk you through the program. What time works for you?

From: Bowman, Liz

Sent: Tuesday, April 3, 2018 10:44 AM

To: Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>;

Wehrum, Bill < Wehrum. Bill@epa.gov>

Subject: Fwd: RIN exemptions

Can you all help here?

Begin forwarded message:

From: "Osborne, James" < <u>James.Osborne@chron.com</u>>

**Date:** April 3, 2018 at 10:38:09 AM EDT **To:** "Bowman, Liz" < Bowman, Liz@epa.gov>

Subject: RIN exemptions

Liz,

I'm working on a story about the EPA giving exemptions to refineries for RINs.

Do you think someone from EPA would be available to discuss those exemptions? Either on record or background?

Also, I need some documentation for the story. Would you be able to get me the following?

- 1. A list of refineries given exemptions from RIN requirements since Jan. 2017.
- 2. Year by year data on exemptions given going back to 2005 (including the number of exempted refineries and the total number of ethanol equivalent gallons (RINs) exempted).
- 3. EPA Administrator Pruitt's daily appointment calendar since taking office.

Thanks. I'm on deadline for tomorrow lunchtime. If you have any questions please call me on 202-263-6516.

James Osborne
Washington Energy Correspondent
Houston Chronicle/Hearst Newspapers (D.C. Bureau)
1331 H Street NW, 11<sup>th</sup> Floor
Washington, DC 20005
Tel: 202-263-6516

Twitter: @osborneja

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

**Sent**: 2/27/2018 8:22:13 PM

To: Dustin Weaver [dweaver@thehill.com]
CC: Miranda Green [mgreen@thehill.com]

Subject: RE: Per your Request -

## Thank you

From: Dustin Weaver [mailto:dweaver@thehill.com]

Sent: Tuesday, February 27, 2018 3:21 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Miranda Green <mgreen@thehill.com>

Subject: Re: Per your Request -

Understood, thanks.

On Tue, Feb 27, 2018 at 3:19 PM, Bowman, Liz < Bowman. Liz@epa.gov > wrote:

Thanks; I think the biggest concern was the insinuation that this was a political decision – or that staff would be "fired" or that the important work of studying chemicals effects on children's health. Sensationalizing and fearmongering isn't really fair reporting.

From: Dustin Weaver [mailto:dweaver@thehill.com]

Sent: Tuesday, February 27, 2018 3:07 PM

**To:** Bowman, Liz < Bowman.Liz@epa.gov > Cc: Miranda Green < mgreen@thehill.com >

Subject: Re: Per your Request -

OK. For the sake of accuracy, the headline has been tweaked to say "merge" rather than close. I have also changed the lead to use the word "merge" rather than shuttered. We are not trying to give our readers the wrong impression, so happy to change that wording to be more precise.

On Tue, Feb 27, 2018 at 3:00 PM, Bowman, Liz < Bowman.Liz@epa.gov > wrote:

For our understanding, not for attribution: All the program functions will continue - it's the same work, simpler structure. It's just under an umbrella with a different name.

From: Dustin Weaver [mailto:dweaver@thehill.com] Sent: Tuesday, February 27, 2018 2:57 PM To: Bowman, Liz < Bowman.Liz@epa.gov> Cc: Miranda Green <mgreen@thehill.com> Subject: Re: Per your Request -Will the NCER continue to exist? On Tue, Feb 27, 2018 at 2:54 PM, Bowman, Liz <Bowman, Liz @epa.gov> wrote: Hi Miranda – I apologize for my continued emails on this, but, as you can imagine – this is frustrating. "EPA reorganization will close science research office." – NOT TRUE. No office/function is being closed. All the work "works to test the effects of chemical exposure on adults and children" will continue – NOTHING IS BEING SHUTTERED. All I see is that you said "the NCER research will continue" – so what is the story? All the research, all the grants, everything is continuing? From: Miranda Green [mailto:mgreen@thehill.com] Sent: Tuesday, February 27, 2018 2:47 PM To: Bowman, Liz <Bowman.Liz@epa.gov> Subject: Re: Per your Request -We just updated the story to incorporate your statement and corrections. Feel free to reach out to my editor on this story, Dustin Weaver, if you have more concerns

He can be reached at 202-407-8000

On Tue, Feb 27, 2018 at 1:47 PM, Bowman, Liz < Bowman, Liz@epa.gov> wrote:

Please send to your editor, as you haven't provided his/her name or contact information yet.

Major EPA reorganization will end science research program – Not true, research will continue

BY MIRANDA GREEN - 02/26/18 08:49 PM EST

A federal environmental program that distributes grants to test the effects of chemical exposure on adults and children is being shuttered amidst a major organization consolidation at the Environmental Protection Agency (EPA).

Not true: The funding of grants has nothing to do with a reorganization that has been initiated by ORD career and political leadership. Nothing is "being shuttered" there is no "major organization"

The National Center for Environmental Research (NCER) will no longer exist following plans to combine three EPA offices, the agency confirmed to The Hill on Monday.

Not true: No functions will be eliminated. Career and political staff – together- have initiated a process to bring multiple functions into one office – based on changes that have occurred over years.

The program provides millions of dollars in grants each year.

Funding of grants has nothing to do with any potential reorganization.

Perhaps best known for its handling of fellowships that study the effects of chemicals on children's health, the NCER will be dissolved and science staff serving there will be reassigned elsewhere within the department, the EPA said.

NOT TRUE: Nothing is "being dissolved" – staff will join with functions similar to what they are doing; no functions are being eliminated.

The merger will involve the EPA's Office of Administrative and Research Support, Office of Program Accountability and Resource Management, and the grants and contracts managed by the NCER to create a new Office of Resource Management.

A merging of functions is very different than a "shuttering amidst a major reorganization"

Other EPA functions consolidated into the new office include the handling of Freedom of Information Act (FOIA) requests, records management and budget formulation functions.

FOIA responses are functions performed across the agency, in all offices. There are FOIA officers in each, program/office. That isn't changing.

An EPA spokesperson said the extensive organizational changes are meant to create more efficiency within the agency.

Where did you get the word "extensive" – seems subjective. You are neglecting to say that this is an efficiency designed by career leadership, that is being initiated and going through the approval process.

"EPA's Office of Research and Development is one of the world's leading environmental and human health research organizations. In order to maintain the quality and focus of our research, senior leaders from the research and development office are proactively taking steps to create management efficiencies within the organization," the spokesperson said. "These changes will help EPA's Office of Research and Development be more responsive to agency priorities and funding realities."

The White House's fiscal 2018 and 2019 budgets both proposed zeroing out major programs under the NCER, but the cuts were not taken up in the most recent congressional budget.

The budget has nothing to do with this.

An EPA spokesperson said that under the planned overhaul, employees currently working at the NCER will not be fired, but may have their positions altered.

"fired" seems like fearmongering here – also, this is not true: all functions are continuing and the reorganization effort being initiated does not affect any employment status. The email that YOU QUOTE FROM says "staff affected will retain the grade and career ladder of their position"!

"At the appropriate time, the science staff currently in NCER will be redeployed to the [Office of Research and Development] labs/centers/offices matching their expertise to organizational needs. This reorganization could result in a change of positions or functions. Staff in the affected organizations will retain the grade and career ladder of their position of record," the spokesperson said.

See above.

The NCER is largely known for the funding it provides through its premiere program, Science To Achieve Results (STAR). Under the STAR program, grants are given to the Children's Environmental Health and Disease Prevention Research Centers, which were established in 1988 to discover methods to reduce children's health risks from environmental factors.

As explained: The funding of grants has nothing to do with a reorganization that has been initiated by ORD career and political leadership.

"Those programs have been so successful in advancing our scientific understanding and our ability to address the ways that environmental chemicals can impact children's health," said Tracey Woodruff, a former senior scientist and policy adviser at the EPA under the Clinton and Bush administrations. "The children centers were really the first and only centers to uncover the relationship with prenatal exposure to flame retardants and IQ deficiencies in children."

The funding of grants has nothing to do with a reorganization that has been initiated by ORD career and political leadership.

A report released by the National Academy of Sciences last year that was compiled at the EPA's request championed the STAR program for its "numerous successes."

The funding of grants has nothing to do with a reorganization that has been initiated by ORD career and political leadership.

"STAR has had numerous successes, such as in research on human health implications of air pollution, on environmental effects on children's health and well-being, on interactions between climate change and air quality, and on the human health implications of nanoparticles. Those are just a few examples; many more could be cited," the report read.

The funding of grants has nothing to do with a reorganization that has been initiated by ORD career and political leadership.

A former EPA official who worked within the NCER said the loss of the STAR program would be harmful to both the EPA and national science.

The funding of grants has nothing to do with a reorganization that has been initiated by ORD career and political leadership.

"The program was designed to not provide direct benefits to the agency but to the public. Without the STAR grants program there is a loss of an environmental agency that will look at both environmental and human health issues and to exam environmental issues of the future," the source cautioned.

The funding of grants has nothing to do with a reorganization that has been initiated by ORD career and political leadership.

Woodruff called the decision to merge the NCER with the other offices, which currently do not focus on handling grants, extremely concerning.

The funding of grants has nothing to do with a reorganization that has been initiated by ORD career and political leadership.

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Exactly; maybe The Hill should explain to readers that each EPA office typically has a FOIA officer and the reorganization that is initiated is to help consolidate administration activities of this particular department – not to change FOIAS, and that – AGAIN – the funding of grants has nothing to do with this.

The EPA has <u>recently acknowledged</u> a slow-down in the rate of FOIA requests answered, citing a backlog in previous requests made under the Obama administration and an uptick in FOIA requests sent since <u>President Trump</u> took office.

The EPA official did not acknowledge how the agency rearrangement may address those issues.

Liz Bov	vman
U.S. En	vironmental Protection Agency (EPA)
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From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

**Sent**: 2/27/2018 8:19:18 PM

To: Dustin Weaver [dweaver@thehill.com]
CC: Miranda Green [mgreen@thehill.com]

Subject: RE: Per your Request -

Thanks; I think the biggest concern was the insinuation that this was a political decision – or that staff would be "fired" or that the important work of studying chemicals effects on children's health. Sensationalizing and fearmongering isn't really fair reporting.

From: Dustin Weaver [mailto:dweaver@thehill.com]

**Sent:** Tuesday, February 27, 2018 3:07 PM **To:** Bowman, Liz <Bowman.Liz@epa.gov> **Cc:** Miranda Green <mgreen@thehill.com>

Subject: Re: Per your Request -

OK. For the sake of accuracy, the headline has been tweaked to say "merge" rather than close. I have also changed the lead to use the word "merge" rather than shuttered. We are not trying to give our readers the wrong impression, so happy to change that wording to be more precise.

On Tue, Feb 27, 2018 at 3:00 PM, Bowman, Liz < Bowman.Liz@epa.gov > wrote:

For our understanding, not for attribution: All the program functions will continue - it's the same work, simpler structure. It's just under an umbrella with a different name.

From: Dustin Weaver [mailto:dweaver@thehill.com]

**Sent:** Tuesday, February 27, 2018 2:57 PM **To:** Bowman, Liz < <u>Bowman, Liz@epa.gov</u>> **Cc:** Miranda Green < <u>mgreen@thehill.com</u>>

Subject: Re: Per your Request -

Will the NCER continue to exist?

On Tue, Feb 27, 2018 at 2:54 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Hi Miranda – I apologize for my continued emails on this, but, as you can imagine – this is frustrating.

"EPA reorganization will close science research office." – NOT TRUE. No office/function is being closed.

All the work "works to test the effects of chemical exposure on adults and children" will continue – NOTHING IS BEING SHUTTERED.

All I see is that you said "the NCER research will continue" – so what is the story? All the research, all the grants, everything is continuing?

From: Miranda Green [mailto:mgreen@thehill.com]

**Sent:** Tuesday, February 27, 2018 2:47 PM **To:** Bowman, Liz <<u>Bowman.Liz@epa.gov</u>>

Subject: Re: Per your Request -

We just updated the story to incorporate your statement and corrections.

Feel free to reach out to my editor on this story, Dustin Weaver, if you have more concerns

He can be reached at 202-407-8000

On Tue, Feb 27, 2018 at 1:47 PM, Bowman, Liz <Bowman, Liz @epa.gov> wrote:

Please send to your editor, as you haven't provided his/her name or contact information yet.

Major EPA reorganization will end science research program – Not true, research will continue

BY MIRANDA GREEN - 02/26/18 08:49 PM EST

A federal environmental program that distributes grants to test the effects of chemical exposure on adults and children is being shuttered amidst a major organization consolidation at the Environmental Protection Agency (EPA).

Not true: The funding of grants has nothing to do with a reorganization that has been initiated by ORD career and political leadership. Nothing is "being shuttered" there is no "major organization"

The National Center for Environmental Research (NCER) will no longer exist following plans to combine three EPA offices, the agency confirmed to The Hill on Monday.

Not true: No functions will be eliminated. Career and political staff – together- have initiated a process to bring multiple functions into one office – based on changes that have occurred over years.

The program provides millions of dollars in grants each year.

Funding of grants has nothing to do with any potential reorganization.

Perhaps best known for its handling of fellowships that study the effects of chemicals on children's health, the NCER will be dissolved and science staff serving there will be reassigned elsewhere within the department, the EPA said.

NOT TRUE: Nothing is "being dissolved" – staff will join with functions similar to what they are doing; no functions are being eliminated.

The merger will involve the EPA's Office of Administrative and Research Support, Office of Program Accountability and Resource Management, and the grants and contracts managed by the NCER to create a new Office of Resource Management.

A merging of functions is very different than a "shuttering amidst a major reorganization"

Other EPA functions consolidated into the new office include the handling of Freedom of Information Act (FOIA) requests, records management and budget formulation functions.

FOIA responses are functions performed across the agency, in all offices. There are FOIA officers in each, program/office. That isn't changing.

An EPA spokesperson said the extensive organizational changes are meant to create more efficiency within the agency.

Where did you get the word "extensive" – seems subjective. You are neglecting to say that this is an efficiency designed by career leadership, that is being initiated and going through the approval process.

"EPA's Office of Research and Development is one of the world's leading environmental and human health research organizations. In order to maintain the quality and focus of our research, senior leaders from the research and development office are proactively taking steps to create management efficiencies within the organization," the spokesperson said. "These changes will help EPA's Office of Research and Development be more responsive to agency priorities and funding realities."

The White House's fiscal 2018 and 2019 budgets both proposed zeroing out major programs under the NCER, but the cuts were not taken up in the most recent congressional budget.

The budget has nothing to do with this.

An EPA spokesperson said that under the planned overhaul, employees currently working at the NCER will not be fired, but may have their positions altered.

"fired" seems like fearmongering here – also, this is not true: all functions are continuing and the reorganization effort being initiated does not affect any employment status. The email that YOU QUOTE FROM says "staff affected will retain the grade and career ladder of their position"!

"At the appropriate time, the science staff currently in NCER will be redeployed to the [Office of Research and Development] labs/centers/offices matching their expertise to organizational needs. This reorganization could result in a change of positions or functions. Staff in the affected organizations will retain the grade and career ladder of their position of record," the spokesperson said.

See above.

The NCER is largely known for the funding it provides through its premiere program, Science To Achieve Results (STAR). Under the STAR program, grants are given to the Children's Environmental Health and Disease Prevention Research Centers, which were established in 1988 to discover methods to reduce children's health risks from environmental factors.

As explained: The funding of grants has nothing to do with a reorganization that has been initiated by ORD career and political leadership.

"Those programs have been so successful in advancing our scientific understanding and our ability to address the ways that environmental chemicals can impact children's health," said Tracey Woodruff, a former senior scientist and policy adviser at the EPA under the Clinton and Bush administrations. "The children centers were really the first and only centers to uncover the relationship with prenatal exposure to flame retardants and IQ deficiencies in children."

The funding of grants has nothing to do with a reorganization that has been initiated by ORD career and political leadership.

A report released by the National Academy of Sciences last year that was compiled at the EPA's request championed the STAR program for its "numerous successes."

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"STAR has had numerous successes, such as in research on human health implications of air pollution, on environmental effects on children's health and well-being, on interactions between climate change and air quality, and on the human health implications of nanoparticles. Those are just a few examples; many more could be cited," the report read.

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A former EPA official who worked within the NCER said the loss of the STAR program would be harmful to both the EPA and national science.

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"The program was designed to not provide direct benefits to the agency but to the public. Without the STAR grants program there is a loss of an environmental agency that will look at both environmental and human health issues and to exam environmental issues of the future," the source cautioned.

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Liz Bowman

U.S. Environmental Protection Agency (EPA)

Office: 202-564-3293

Miranda Green



From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

**Sent**: 2/27/2018 8:01:55 PM

To: Zahra Hirji [zahra.hirji@buzzfeed.com]

**Subject**: RE: EPA reorganization

## Thank you!

From: Zahra Hirji [mailto:zahra.hirji@buzzfeed.com]

**Sent:** Tuesday, February 27, 2018 3:00 PM **To:** Bowman, Liz <Bowman.Liz@epa.gov>

Subject: Re: EPA reorganization

Thanks for clarifying. By the way, I just updated the story to more explicitly note that political and career staff were involved (as per the original quote of yours that was sent to me). This is also explained in the update text at the bottom of the article.

Thanks, Zahra

On Tue, Feb 27, 2018 at 2:42 PM, Bowman, Liz < Bowman.Liz@epa.gov > wrote:

My biggest concern was your headline. I appreciate the willingness to try to understand the issue.

From: Zahra Hirji [mailto:zahra.hirji@buzzfeed.com]

Sent: Tuesday, February 27, 2018 2:36 PM

**To:** Bowman, Liz < Bowman, Liz@epa.gov>

Subject: Re: EPA reorganization

As per my editor, I can't issue a correction with my story if there isn't any inaccuracy in my reporting or the way I've written things that is wrong. And, in fact, the way I refer to The Hill story is only briefly and suggests it was off -- since I mentioned that EPA clarified to me what's actually going on. That being said, as is mentioned at the bottom of my story, I am updating the article today with more information. If there's an additional on-the-record comment you have, please let me know. And we do appreciate you bringing your concerns to us about any story.

Best,

Zahra

On Tue, Feb 27, 2018 at 2:02 PM, Bowman, Liz < Bowman. Liz@epa.gov > wrote:

Right, but I think it's worth understanding that what the Hill is reporting isn't accurate and is being mischaracterized. The Hill tried to claim in their article that there is a major re-organization happening that will end science research and grants that affect children's health. This is a reorganization being proposed by career leadership to help make their office work better, it's not what The Hill is claiming or sensationalizing.

From: Zahra Hirji [mailto:zahra.hirji@buzzfeed.com]

Sent: Tuesday, February 27, 2018 2:00 PM

To: Bowman, Liz < Bowman.Liz@epa.gov >

Subject: Re: EPA reorganization

I said The Hill reported the consolidation is happening -- and then pointed out the EPA clarified to me it's still a proposal.

On Tue, Feb 27, 2018 at 1:58 PM, Bowman, Liz < Bowman.Liz@epa.gov > wrote:

The inaccuracy is really the idea that The Hill reported this correctly. I hope this helps Please see below (for background, not for attribution).

Major EPA reorganization will end science research program – Not true, research will continue

BY MIRANDA GREEN - 02/26/18 08:49 PM EST

A federal environmental program that distributes grants to test the effects of chemical exposure on adults and children is being shuttered amidst a major organization consolidation at the Environmental Protection Agency (EPA).

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See above.

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The EPA official did not acknowledge how the agency rearrangement may address those issues.

B/c it doesn't – these are issues that The Hill is conflating.

From: Zahra Hirji [mailto:zahra.hirji@buzzfeed.com]

**Sent:** Tuesday, February 27, 2018 1:56 PM **To:** Bowman, Liz <<u>Bowman.Liz@epa.gov</u>>

Subject: Re: EPA reorganization

Hey Liz,

Thanks so much for reaching out. Admittedly, I'm a little confused about what's inaccurate. I don't mention anything about EPA funding and I actually didn't specify whether this was coming from Trump/political staff or career staff -- in part because I've been trying to still fact check this. Here's my article, which is pretty much just quoting (either directly or not) from my email chain with EPA staff. Can you please point out the sentences that you say are not accurate.

Thanks,

Zahra

On Tue, Feb 27, 2018 at 1:18 PM, Bowman, Liz < Bowman, Liz@epa.gov > wrote:

Your article is grossly inaccurate. All funding of the Agency comes through Congress and the reorganization has nothing to do with that – ALL the research will continue. On background (for your understanding, not for attribution): the main issue with the Hill article is the mischaracterization of what is happening – this is not a political reorganization, but one that the career staff and political leadership initiated together because they see a need for it based on changes that have occurred in the agency and research over many years. At this time, ORD career and political leaders have developed management efficiencies in a reorganization package for the department. They initiated a proposal that will go through the approval process.

Thank you - Liz

--

Zahra Hirji

Reporter

BuzzFeed News

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Cell: Ex. 6 Personal Privacy (PP)

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**Sent**: 2/27/2018 8:00:40 PM

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CC: Miranda Green [mgreen@thehill.com]

Subject: RE: Per your Request -

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. <u>-</u>

News Editor - The Hill | 202-407-8000 | @dweaverTheHill

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

Sent: 4/2/2018 3:59:53 PM

**To**: Finley, Allysia [allysia.finley@wsj.com]

Subject: Details

Attachments: \_DRAFT 2018 04 02.docx

Please don't post or share this document. It's for planning/understanding purposes only. Thank you!

Liz Bowman

U.S. Environmental Protection Agency (EPA)

Office: 202-564-3293

# EPA Midterm Evaluation for Light-Duty Vehicles GHG Standard: Revised Final Determination April 1, 2018

- In 2012, EPA and the National Highway Traffic Safety Administration (NHTSA) set greenhouse gas (GHG) and Corporate Average Fuel Economy (CAFE) standards for light-duty vehicles starting in Model Year (MY) 2017 2025.
- As part of the 2012 rulemaking, EPA made a regulatory commitment to conduct a Midterm Evaluation of the standards for MY 2022-2025 no later than April 1, 2018. This Evaluation would determine whether the standards remain appropriate or should be made more or less stringent.
- In November 2016, the Obama Administration cut short the Midterm Evaluation process and rushed out a Final Determination days before leaving office, on January 12, 2017. Since then, the auto industry and other stakeholders sought a reinstatement of the original Midterm Evaluation timeline, so that the Agency could review the latest information.
- On March 15, 2017, President Trump alongside EPA Administrator Pruitt and U.S. Department of Transportation Secretary Chao announced a reestablishment of the Midterm Evaluation process.
- In August 2017, EPA and NHTSA formally reopened the regulatory docket initiating a 45-day comment period asking for additional information and data relevant to assessing whether the GHG emissions standards remain appropriate, including information on: consumer behavior, feedback on modeling approaches, costs and assessing advanced fuels technologies.
- EPA held a public hearing in Washington, DC, on September 6, 2017. By the end of the comment period, EPA received over 290,000 comments.

<u>FINAL DETERMINATION</u>: Based on EPA's review and analysis of the comments and information received, and the Agency's own analysis, the Administrator believes that the current GHG emission standards for MY 2022-2025 light-duty vehicles are not appropriate and should be revised.

- EPA, in partnership with NHTSA, will initiate a notice and comment rulemaking in a forthcoming Federal Register notice to further consider the degree, scope and form of proposed changes.
- Many of the key assumptions EPA relied upon in its January 2017 Determination, including gas
  prices, technology costs and effectiveness, and the consumer acceptance of advanced technology
  vehicles, were overly optimistic or have significantly changed and thus no longer represent realistic
  assumptions.
- Additionally, the Administrator believes that the light-duty vehicle standards present challenges for auto manufacturers due to feasibility and practicability, raise concerns related to automobile safety, and result in significant additional costs on consumers, especially low-income consumers.
- In making this finding, the Administrator has also considered that associated environmental are significantly diminished when consumers cannot afford new cars. New information and data provided show the significant negative effects of higher vehicle costs that many stakeholders assign to the costs of compliance with EPA's current standards.

# EPA Midterm Evaluation for Light-Duty Vehicles GHG Standard: Revised Final Determination April 1, 2018

#### TALKING POINTS:

- The world has changed since the GHG standards for MY2022-2025 were originally set:
  - O Low gas prices impact consumer preferences: With lower than projected gas prices, EPA's originally projected cost savings are much lower. Further, in the face of low gas prices consumers continue to prioritize vehicle performance over fuel economy, making it hard for auto manufacturers to sell the high volume of fuel efficient vehicles needed to comply with the originally set GHG standards.
  - O Growing preference for light-trucks over cars further complicates compliance: In 2012, the car and light truck shares were projected to be 67 percent to 33 percent respectively for MY 2025. Recent data shows that the split for MY 2016 was 55 percent cars and 45 percent trucks, highlighting the recent and growing preference for trucks over cars.
  - O Increased vehicle costs negatively impact the production of new automobiles: The new record indicates the standards impose unreasonable per vehicle costs resulting in decreased sales. Trinity Consulting & NERA Economic Consulting found that the MY 2022-2025 standards would reduce vehicle sales over those four model years from 65 million to 63.7 million, a reduction of 1.3 million vehicles, due to higher vehicle prices.
  - O High cost vehicles reduce fleet turnover limiting reach of environmental benefits:

    Newer cars have greater environmental and safety benefits. As certain consumers, are either priced out of purchasing a new car or unwilling to pay the added costs associated with increased fuel efficiency, the number of new cars driven and the resulting benefits are reduced.
  - Slow pace of electrification: Despite the auto industry providing an increasing number of battery-electric vehicle models and plug-in hybrid electric vehicle models, combined national sales of these vehicles still account for just over one percent of the market. According to data submitted by the Global Automakers, sales of hybrids peaked in 2013 at 3.1 percent, but only accounted for 2 percent of the market in 2016.
- Future changes to the standards will ensure that auto-manufacturers can make cars that consumers both want and can afford. They will also treat all advanced vehicle technologies the same, including the potential of natural gas vehicles and the role of high-octane fuels.
- EPA will continue its close partnership with NHTSA to ensure there is adequate consideration of any potential impacts on automobile safety.
- EPA will continue to work with all states in order to maintain a one national program.

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

**Sent**: 4/4/2018 6:32:06 PM

To: jarrett.renshaw@thomsonreuters.com
Subject: RE: Philadelphia Energy Solutions

I have to check on the first question; yes, applications can still come in/and or are under review.

From: jarrett.renshaw@thomsonreuters.com [mailto:jarrett.renshaw@thomsonreuters.com]

**Sent:** Wednesday, April 4, 2018 12:40 PM **To:** Bowman, Liz <Bowman.Liz@epa.gov> **Subject:** RE: Philadelphia Energy Solutions

A couple of other technical background questions.

Argus reported that all but four of applications for 2017 that were submitted were approved, and just wanted to confirm.

Also, this is presumably not the final figure for '17 ? given that applications are/may still come in and may be under review.

Jarrett Renshaw National Energy Markets Reporter Reuters

jarrett.renshaw@thomsonreuters.com

Office: (646) 223-6193
Cell: Ex.6 Personal Privacy (PP)
Twitter: @jarrettrenshaw
IM: jrenshaw reuters08

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]

Sent: Wednesday, April 04, 2018 11:18 AM

To: Renshaw, Jarrett (Reuters)

Subject: RE: Philadelphia Energy Solutions

Yes, sorry 2017

From: jarrett.renshaw@thomsonreuters.com [mailto:jarrett.renshaw@thomsonreuters.com]

**Sent:** Wednesday, April 4, 2018 11:15 AM **To:** Bowman, Liz < <u>Bowman.Liz@epa.gov</u>> **Subject:** RE: Philadelphia Energy Solutions

Sorry to bug..but the sooner I get the answer on what year the 25 approvals were for, the sooner I can get something on the wire...We are just going to do a separate story and will put the quote up high.

Jarrett Renshaw National Energy Markets Reporter Reuters

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Cell: Ex. 6 Personal Privacy (PP)
Twitter: @jarrettrenshaw
IM: jrenshaw reuters08

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]

**Sent:** Wednesday, April 04, 2018 11:00 AM

**To:** Renshaw, Jarrett (Reuters)

**Subject:** RE: Philadelphia Energy Solutions

Yes, thank you for checking – I just wanted to explain it without being directly quoted, for your understanding

From: jarrett.renshaw@thomsonreuters.com [mailto:jarrett.renshaw@thomsonreuters.com]

**Sent:** Wednesday, April 4, 2018 10:58 AM **To:** Bowman, Liz < <u>Bowman.Liz@epa.gov</u>> **Subject:** RE: Philadelphia Energy Solutions

Can we attribute the 25 approvals to an EPA source?

Jarrett Renshaw National Energy Markets Reporter Reuters

jarrett.renshaw@thomsonreuters.com

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From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]

**Sent:** Wednesday, April 04, 2018 10:55 AM

To: Renshaw, Jarrett (Reuters)

Subject: RE: Philadelphia Energy Solutions

Hi Jarrett – I just saw your story (below), and I am sorry if I didn't see your inquiry. Would you please consider updating your article with the following quote/information? Thank you – Liz

"The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, established process where the Agency uses a DOE analysis to inform decisions about refiner exemptions/waivers. These waivers are only considered for refineries that submit applications and that are below the blending threshold," **EPA spokesperson, Liz Bowman** 

**On background** (not for attribution): DOE's analysis is developed based on information submitted to EPA, and DOE provides a recommendation with regard to the waiver. While the applications continue to come in, EPA has granted roughly 25 so far. We do not have specifics on overall refining capacity.

From: jarrett.renshaw@thomsonreuters.com [mailto:jarrett.renshaw@thomsonreuters.com]

Sent: Monday, January 29, 2018 12:59 PM

To: jarrett.renshaw@thomsonreuters.com; Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan

<wilcox.jahan@epa.gov>

Subject: RE: Philadelphia Energy Solutions

Sorry, it's actually May 1.

Jarrett Renshaw National Energy Markets Reporter Reuters

jarrett.renshaw@thomsonreuters.com

Office: (646) 223-6193
Cell: Ex. 6 Personal Privacy (PP)
Twitter: @jarrettrenshaw
IM: jrenshaw\_reuters08

From: Renshaw, Jarrett (Reuters)

**Sent:** Monday, January 29, 2018 12:38 PM

To: 'Bowman.liz@epa.gov'; 'Wilcox.jahan@epa.gov'

**Subject:** Philadelphia Energy Solutions

Hello, I am working with Richard Valdmanis on the Philadelphia Energy Solutions bankruptcy case and the company's petition for relief from its 2016 and 2017 RIN obligations. It appears the EPA has agreed to extend the compliance deadline until April 1 2017 and wanted to confirm. It's in a filing, so that's where I will attribute. Thanks for your response.

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**Sent**: 2/27/2018 7:42:12 PM

To: Zahra Hirji [zahra.hirji@buzzfeed.com]

Subject: RE: EPA reorganization

My biggest concern was your headline. I appreciate the willingness to try to understand the issue.

From: Zahra Hirji [mailto:zahra.hirji@buzzfeed.com]

**Sent:** Tuesday, February 27, 2018 2:36 PM **To:** Bowman, Liz <Bowman.Liz@epa.gov>

Subject: Re: EPA reorganization

As per my editor, I can't issue a correction with my story if there isn't any inaccuracy in my reporting or the way I've written things that is wrong. And, in fact, the way I refer to The Hill story is only briefly and suggests it was off -- since I mentioned that EPA clarified to me what's actually going on. That being said, as is mentioned at the bottom of my story, I am updating the article today with more information. If there's an additional on-the-record comment you have, please let me know. And we do appreciate you bringing your concerns to us about any story.

Best, Zahra

On Tue, Feb 27, 2018 at 2:02 PM, Bowman, Liz < Bowman.Liz@epa.gov > wrote:

Right, but I think it's worth understanding that what the Hill is reporting isn't accurate and is being mischaracterized. The Hill tried to claim in their article that there is a major re-organization happening that will end science research and grants that affect children's health. This is a reorganization being proposed by career leadership to help make their office work better, it's not what The Hill is claiming or sensationalizing.

From: Zahra Hirji [mailto:zahra.hirji@buzzfeed.com]

Sent: Tuesday, February 27, 2018 2:00 PM

To: Bowman, Liz < Bowman.Liz@epa.gov>

Subject: Re: EPA reorganization

I said The Hill reported the consolidation is happening -- and then pointed out the EPA clarified to me it's still a proposal.

On Tue, Feb 27, 2018 at 1:58 PM, Bowman, Liz < Bowman.Liz@epa.gov > wrote:

The inaccuracy is really the idea that The Hill reported this correctly. I hope this helps Please see below (for background, not for attribution).

Major EPA reorganization will end science research program – Not true, research will continue

BY MIRANDA GREEN - 02/26/18 08:49 PM EST

A federal environmental program that distributes grants to test the effects of chemical exposure on adults and children is being shuttered amidst a major organization consolidation at the Environmental Protection Agency (EPA).

Not true: The funding of grants has nothing to do with a reorganization that has been initiated by ORD career and political leadership. Nothing is "being shuttered" there is no "major organization"

The National Center for Environmental Research (NCER) will no longer exist following plans to combine three EPA offices, the agency confirmed to The Hill on Monday.

Not true: No functions will be eliminated. Career and political staff – together- have initiated a process to bring multiple functions into one office – based on changes that have occurred over years.

The program provides millions of dollars in grants each year.

Funding of grants has nothing to do with any potential reorganization.

Perhaps best known for its handling of fellowships that study the effects of chemicals on children's health, the NCER will be dissolved and science staff serving there will be reassigned elsewhere within the department, the EPA said.

NOT TRUE: Nothing is "being dissolved" – staff will join with functions similar to what they are doing; no functions are being eliminated.

The merger will involve the EPA's Office of Administrative and Research Support, Office of Program Accountability and Resource Management, and the grants and contracts managed by the NCER to create a new Office of Resource Management.

A merging of functions is very different than a "shuttering amidst a major reorganization"

Other EPA functions consolidated into the new office include the handling of Freedom of Information Act (FOIA) requests, records management and budget formulation functions.

FOIA responses are functions performed across the agency, in all offices. There are FOIA officers in each, program/office. That isn't changing.

An EPA spokesperson said the extensive organizational changes are meant to create more efficiency within the agency.

Where did you get the word "extensive" – seems subjective. You are neglecting to say that this is an efficiency designed by career leadership, that is being initiated and going through the approval process.

"EPA's Office of Research and Development is one of the world's leading environmental and human health research organizations. In order to maintain the quality and focus of our research, senior leaders from the research and development office are proactively taking steps to create management efficiencies within the organization," the spokesperson said. "These changes will help EPA's Office of Research and Development be more responsive to agency priorities and funding realities."

The White House's fiscal 2018 and 2019 budgets both proposed zeroing out major programs under the NCER, but the cuts were not taken up in the most recent congressional budget.

The budget has nothing to do with this.

An EPA spokesperson said that under the planned overhaul, employees currently working at the NCER will not be fired, but may have their positions altered.

"fired" seems like fearmongering here – also, this is not true: all functions are continuing and the reorganization effort being initiated does not affect any employment status. The email that YOU QUOTE FROM says "staff affected will retain the grade and career ladder of their position"!

"At the appropriate time, the science staff currently in NCER will be redeployed to the [Office of Research and Development] labs/centers/offices matching their expertise to organizational needs. This reorganization could result in a change of positions or functions. Staff in the affected organizations will retain the grade and career ladder of their position of record," the spokesperson said.

See above.

The NCER is largely known for the funding it provides through its premiere program, Science To Achieve Results (STAR). Under the STAR program, grants are given to the Children's Environmental Health and Disease Prevention Research Centers, which were established in 1988 to discover methods to reduce children's health risks from environmental factors.

As explained: The funding of grants has nothing to do with a reorganization that has been initiated by ORD career and political leadership.

"Those programs have been so successful in advancing our scientific understanding and our ability to address the ways that environmental chemicals can impact children's health," said Tracey Woodruff, a former senior scientist and policy adviser at the EPA under the Clinton and Bush administrations. "The children centers were really the first and only centers to uncover the relationship with prenatal exposure to flame retardants and IQ deficiencies in children."

The funding of grants has nothing to do with a reorganization that has been initiated by ORD career and political leadership.

A report released by the National Academy of Sciences last year that was compiled at the EPA's request championed the STAR program for its "numerous successes."

The funding of grants has nothing to do with a reorganization that has been initiated by ORD career and political leadership.

"STAR has had numerous successes, such as in research on human health implications of air pollution, on environmental effects on children's health and well-being, on interactions between climate change and air quality, and on the human health implications of nanoparticles. Those are just a few examples; many more could be cited," the report read.

The funding of grants has nothing to do with a reorganization that has been initiated by ORD career and political leadership.

A former EPA official who worked within the NCER said the loss of the STAR program would be harmful to both the EPA and national science.

The funding of grants has nothing to do with a reorganization that has been initiated by ORD career and political leadership.

"The program was designed to not provide direct benefits to the agency but to the public. Without the STAR grants program there is a loss of an environmental agency that will look at both environmental and human health issues and to exam environmental issues of the future," the source cautioned.

The funding of grants has nothing to do with a reorganization that has been initiated by ORD career and political leadership.

Woodruff called the decision to merge the NCER with the other offices, which currently do not focus on handling grants, extremely concerning.

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"They make it sound like this is a way to create efficiency, but it masks what's happening to this actually programmatic, scientific function of NCER and the STAR program. That makes you think, is this really just an efficiency argument masking their real intention to get rid of the research grant program, which they have said they want to do in the past?" she said. "Answering FOIAs and administering scientific grants are not the same thing."

Exactly; maybe The Hill should explain to readers that each EPA office typically has a FOIA officer and the reorganization that is initiated is to help consolidate administration activities of this particular department – not to change FOIAS, and that – AGAIN – the funding of grants has nothing to do with this.

The EPA has <u>recently acknowledged</u> a slow-down in the rate of FOIA requests answered, citing a backlog in previous requests made under the Obama administration and an uptick in FOIA requests sent since <u>President Trump</u> took office.

The EPA official did not acknowledge how the agency rearrangement may address those issues.

B/c it doesn't – these are issues that The Hill is conflating.

From: Zahra Hirji [mailto:zahra.hirji@buzzfeed.com] Sent: Tuesday, February 27, 2018 1:56 PM To: Bowman, Liz <Bowman.Liz@epa.gov> Subject: Re: EPA reorganization Hey Liz, Thanks so much for reaching out. Admittedly, I'm a little confused about what's inaccurate. I don't mention anything about EPA funding and I actually didn't specify whether this was coming from Trump/political staff or career staff -- in part because I've been trying to still fact check this. Here's my article, which is pretty much just quoting (either directly or not) from my email chain with EPA staff. Can you please point out the sentences that you say are not accurate. Thanks, Zahra On Tue, Feb 27, 2018 at 1:18 PM, Bowman, Liz < Bowman.Liz@epa.gov> wrote: Your article is grossly inaccurate. All funding of the Agency comes through Congress and the reorganization has nothing to do with that - ALL the research will continue. On background (for your understanding, not for attribution): the main issue with the Hill article is the mischaracterization of what is happening – this is not a political reorganization, but one that the career staff and political leadership initiated together because they see a need for it based on changes that have occurred in the agency and research over many years. At this time, ORD career and political leaders have developed management efficiencies in a reorganization package for the department. They initiated a proposal that will go through the approval process. Thank you - Liz

Zahra Hirji Reporter BuzzFeed News Office: (310) 307-3838 Cell: Ex. 6 Personal Privacy (PP) Zahra.Hirji@buzzfeed.com @zhirji28 Zahra Hirji Reporter BuzzFeed News Office: (310) 307-3838 Cell: Ex. 6 Personal Privacy (PP) Zahra.Hirji@buzzfeed.com

Zahra Hirji
Reporter
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Seife v. EPA (1:19-cv-05190) 9.1.2020 ED\_003047\_00006947-00002

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Zahra

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@zhirji28

Seife v. EPA (1:19-cv-05190) 9.1.2020 ED\_003047\_00006947-00005

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

**Sent**: 3/20/2018 5:37:58 PM

To: Eilperin, Juliet [Juliet.Eilperin@washpost.com]; Dennis, Brady [Brady.Dennis@washpost.com]

**Subject**: RE: Scott Pruitt Will End EPA's Use Of 'Secret Science' To Justify Regulations

I can try; will let you know

From: Eilperin, Juliet [mailto:Juliet.Eilperin@washpost.com]

Sent: Tuesday, March 20, 2018 1:36 PM

**To:** Bowman, Liz <Bowman.Liz@epa.gov>; Dennis, Brady <Brady.Dennis@washpost.com> **Subject:** RE: Scott Pruitt Will End EPA's Use Of 'Secret Science' To Justify Regulations

Thanks for this—we will want to follow up, but won't do it immediately just due to all sorts of other news. If we wanted to, would there be a staffer willing to talk on this?

From: Bowman, Liz < Bowman.Liz@epa.gov > Sent: Tuesday, March 20, 2018 1:16 PM

To: Eilperin, Juliet < Juliet. Eilperin@washpost.com >; Dennis, Brady < Brady. Dennis@washpost.com >

Subject: RE: Scott Pruitt Will End EPA's Use Of 'Secret Science' To Justify Regulations

## [EXTERNAL EMAIL]

#### On the record:

"Administrator Pruitt believes that Americans deserve transparency, with regard to the science and data that's underpinning regulatory decisions being made by this Agency," – EPA spokesperson Liz Bowman

## Background (not for attribution):

We are in the process of finalizing a proposal to put out for public comment on this issue...we are still a few weeks out from making an official announcement.

From: Eilperin, Juliet [mailto:Juliet.Eilperin@washpost.com]

Sent: Tuesday, March 20, 2018 9:27 AM

**To:** Bowman, Liz <<u>Bowman.Liz@epa.gov</u>>; Dennis, Brady <<u>Brady.Dennis@washpost.com</u>> **Subject:** RE: Scott Pruitt Will End EPA's Use Of 'Secret Science' To Justify Regulations

Hey Liz, is there a chance we can set up an interview today to discuss this science initiative? We'd be happy to talk to the administrator or a key staffer, whatever works for you.

Best, Juliet

Sent: Tuesday, March 20, 2018 8:50 AM

To: Eilperin, Juliet < Juliet. Eilperin@washpost.com>

Subject: Scott Pruitt Will End EPA's Use Of 'Secret Science' To Justify Regulations

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	The Daily Caller	

# Scott Pruitt Will End EPA's Use Of 'S Science' To Justify Regulations

Michael Bastasch March 19, 2018

http://dailycaller.com/2018/03/19/epa-scott-pruitt-secret-science/ [usenvironmentalprotectionagency.cmail20.com] Environmental Protection Agency (EPA) Administrator Scott Pruitt will so agency's use of "secret science" to craft regulations.

"We need to make sure their data and methodology are published as par Pruitt said in an exclusive interview with The Daily Caller News Foundati it's not transparent. It's not objectively measured, and that's important

Pruitt will reverse long-standing EPA policy allowing regulators to rely or scientific data in crafting rules. Such studies have been used to justify to dollars worth of regulations.

EPA regulators would only be allowed to consider scientific studies that available for public scrutiny under Pruitt's new policy. Also, EPA-funded need to make all their data public.

"When we do contract that science out, sometimes the findings are published that part of our rule-making processes, but then we don't publish the mediata that went into those findings because the third party who did the stit to us," Pruitt added.

"And we've said that's fine — we're changing that as well," Pruitt told T

Conservatives have long criticized EPA for relying on scientific studies their findings but not the underlying data. However, Democrats and envactivists have challenged past attempts to bring transparency to studies making.

Texas Republican Rep. Lamar Smith pushed legislation to end the use of "secret science" at EPA. Pruitt instituted another policy in 2017 backed EPA-funded scientists serving on agency advisory boards.

"If we use a third party to engage in scientific review or inquiry, and the rulemaking, you and every American citizen across the country deserve the data, what's the methodology that was used to reach that conclusion underpinning of what — rules that were adopted by this agency," Pruitt

Pruitt's pending science transparency policy mirrors Smith's HONEST Act the House in March 2017. Smith's office was pleased to hear Pruitt was a policy the House Committee on Science, Space and Technology chairman

"The chairman has long worked toward a more open and transparent rul process at EPA, and he looks forward to any announcement from Adminithat would achieve that goal," committee spokeswoman Thea McDonald Junk science crusader Steve Milloy also called on EPA to end its use of "s in rule making, especially when it comes to studies on the toxicity of fin the air.

EPA has primarily relied on two 1990s studies linking fine particulate pol premature death. Neither studies have made their data public, but EPA findings to justify sweeping air quality regulations.

Reported benefits from EPA rules are "mostly attributable to the reduct exposure to fine particulate matter," according to the White House Offic Management and Budget report. That's equivalent to billions of dollars.

In fact, one of EPA's most expensive regulation on the books, called MAT of its estimated benefits from reducing particulates not from reducing method the rule was ostensibly crafted to address.

EPA estimated MATS would cost \$8.2 billion but yield between \$28 billion in public health benefits. It's a similar story for the Clean Power Plan, we estimated would cost \$8.4 billion and yield from \$14 billion to \$34 billion climate benefits.

Democrats and environmentalists have largely opposed attempts to require transparent scientific data. Said data would restrict the amount of studie but a major objection is making data public would reveal confidential parapponents argue.

"A lot of the data that EPA uses to protect public health and ensure that air and clean water relies on data that cannot be publicly released," Unit Scientists representative Yogin Kothari told E&E News.

"It really hamstrings the ability of the EPA to do anything, to fulfill its m said.

Milloy, however, countered and argued it's a "red herring" to claim that regulators to use public science data would harm patient privacy.

"The availability of such data sets is nothing new," said Milloy, published JunkScience.com and senior fellow at the Energy and Environmental Leg

"The state of California, for example, makes such data available under to 'Public Use Death Files,'" Milloy said. "We used such data in the form of million anonymized death certificates in our recent California study on pudeath."

"Opponents of data transparency are just trying to hide the data from ir scrutiny," Milloy added. "But the studies that use this data are taxpayer they are used to regulate the public."

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U.S. Environmental Protection Agency 1200 Pennsylvania Avenue Northwest Washington, D.C. 20004

Unsubscribe [usenvironmentalprotectionagency.cmail20.com]

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

**Sent**: 2/27/2018 6:58:27 PM

To: Zahra Hirji [zahra.hirji@buzzfeed.com]

**Subject**: RE: EPA reorganization

The inaccuracy is really the idea that The Hill reported this correctly. I hope this helps Please see below (for background, not for attribution).

Major EPA reorganization will end science research program – Not true, research will continue

BY MIRANDA GREEN - 02/26/18 08:49 PM EST

A federal environmental program that distributes grants to test the effects of chemical exposure on adults and children is being shuttered amidst a major organization consolidation at the Environmental Protection Agency (EPA).

Not true: The funding of grants has nothing to do with a reorganization that has been initiated by ORD career and political leadership. Nothing is "being shuttered" there is no "major organization"

The National Center for Environmental Research (NCER) will no longer exist following plans to combine three EPA offices, the agency confirmed to The Hill on Monday.

Not true: No functions will be eliminated. Career and political staff – together- have initiated a process to bring multiple functions into one office – based on changes that have occurred over years.

The program provides millions of dollars in grants each year.

Funding of grants has nothing to do with any potential reorganization.

Perhaps best known for its handling of fellowships that study the effects of chemicals on children's health, the NCER will be dissolved and science staff serving there will be reassigned elsewhere within the department, the EPA said.

NOT TRUE: Nothing is "being dissolved" – staff will join with functions similar to what they are doing; no functions are being eliminated.

The merger will involve the EPA's Office of Administrative and Research Support, Office of Program Accountability and Resource Management, and the grants and contracts managed by the NCER to create a new Office of Resource Management.

A merging of functions is very different than a "shuttering amidst a major reorganization"

Other EPA functions consolidated into the new office include the handling of Freedom of Information Act (FOIA) requests, records management and budget formulation functions.

FOIA responses are functions performed across the agency, in all offices. There are FOIA officers in each, program/office. That isn't changing.

An EPA spokesperson said the extensive organizational changes are meant to create more efficiency within the agency.

Where did you get the word "extensive" – seems subjective. You are neglecting to say that this is an efficiency designed by career leadership, that is being initiated and going through the approval process.

"EPA's Office of Research and Development is one of the world's leading environmental and human health research organizations. In order to maintain the quality and focus of our research, senior leaders from the research and development office are proactively taking steps to create management efficiencies within the organization," the spokesperson said. "These changes will help EPA's Office of Research and Development be more responsive to agency priorities and funding realities."

The White House's fiscal 2018 and 2019 budgets both proposed zeroing out major programs under the NCER, but the cuts were not taken up in the most recent congressional budget.

The budget has nothing to do with this.

An EPA spokesperson said that under the planned overhaul, employees currently working at the NCER will not be fired, but may have their positions altered.

"fired" seems like fearmongering here – also, this is not true: all functions are continuing and the reorganization effort being initiated does not affect any employment status. The email that YOU QUOTE FROM says "staff affected will retain the grade and career ladder of their position"!

"At the appropriate time, the science staff currently in NCER will be redeployed to the [Office of Research and Development] labs/centers/offices matching their expertise to organizational needs. This reorganization could result in a change of positions or functions. Staff in the affected organizations will retain the grade and career ladder of their position of record," the spokesperson said.

See above.

The NCER is largely known for the funding it provides through its premiere program, Science To Achieve Results (STAR). Under the STAR program, grants are given to the Children's Environmental Health and Disease Prevention Research Centers, which were established in 1988 to discover methods to reduce children's health risks from environmental factors.

As explained: The funding of grants has nothing to do with a reorganization that has been initiated by ORD career and political leadership.

"Those programs have been so successful in advancing our scientific understanding and our ability to address the ways that environmental chemicals can impact children's health," said Tracey Woodruff, a former senior scientist and policy adviser at the EPA under the Clinton and Bush administrations. "The children centers were

really the first and only centers to uncover the relationship with prenatal exposure to flame retardants and IQ deficiencies in children."

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A report released by the National Academy of Sciences last year that was compiled at the EPA's request championed the STAR program for its "numerous successes."

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"STAR has had numerous successes, such as in research on human health implications of air pollution, on environmental effects on children's health and well-being, on interactions between climate change and air quality, and on the human health implications of nanoparticles. Those are just a few examples; many more could be cited," the report read.

The funding of grants has nothing to do with a reorganization that has been initiated by ORD career and political leadership.

A former EPA official who worked within the NCER said the loss of the STAR program would be harmful to both the EPA and national science.

The funding of grants has nothing to do with a reorganization that has been initiated by ORD career and political leadership.

"The program was designed to not provide direct benefits to the agency but to the public. Without the STAR grants program there is a loss of an environmental agency that will look at both environmental and human health issues and to exam environmental issues of the future," the source cautioned.

The funding of grants has nothing to do with a reorganization that has been initiated by ORD career and political leadership.

Woodruff called the decision to merge the NCER with the other offices, which currently do not focus on handling grants, extremely concerning.

The funding of grants has nothing to do with a reorganization that has been initiated by ORD career and political leadership.

"They make it sound like this is a way to create efficiency, but it masks what's happening to this actually programmatic, scientific function of NCER and the STAR program. That makes you think, is this really just an efficiency argument masking their real intention to get rid of the research grant program, which they have said they want to do in the past?" she said. "Answering FOIAs and administering scientific grants are not the same thing."

Exactly; maybe The Hill should explain to readers that each EPA office typically has a FOIA officer and the reorganization that is initiated is to help consolidate administration activities of this particular department – not to change FOIAS, and that – AGAIN – the funding of grants has nothing to do with this.

The EPA has <u>recently acknowledged</u> a slow-down in the rate of FOIA requests answered, citing a backlog in previous requests made under the Obama administration and an uptick in FOIA requests sent since <u>President</u> Trump took office.

The EPA official did not acknowledge how the agency rearrangement may address those issues.

B/c it doesn't – these are issues that The Hill is conflating.

From: Zahra Hirji [mailto:zahra.hirji@buzzfeed.com]

**Sent:** Tuesday, February 27, 2018 1:56 PM **To:** Bowman, Liz <Bowman.Liz@epa.gov>

Subject: Re: EPA reorganization

Hey Liz,

Thanks so much for reaching out. Admittedly, I'm a little confused about what's inaccurate. I don't mention anything about EPA funding and I actually didn't specify whether this was coming from Trump/political staff or career staff -- in part because I've been trying to still fact check this. Here's my article, which is pretty much just quoting (either directly or not) from my email chain with EPA staff. Can you please point out the sentences that you say are not accurate.

Thanks, Zahra

On Tue, Feb 27, 2018 at 1:18 PM, Bowman, Liz < Bowman.Liz@epa.gov > wrote:

Your article is grossly inaccurate. All funding of the Agency comes through Congress and the reorganization has nothing to do with that – ALL the research will continue. On background (for your understanding, not for attribution): the main issue with the Hill article is the mischaracterization of what is happening – this is not a political reorganization, but one that the career staff and political leadership initiated together because they see a need for it based on changes that have occurred in the agency and research over many years. At this time, ORD career and political leaders have developed management efficiencies in a reorganization package for the department. They initiated a proposal that will go through the approval process.

Thank you – Liz

Zahra Hirji Reporter BuzzFeed News

Office: (310) 307-3838
Cell: (Ex. 6 Personal Privacy (PP))
Zahra. Hirji@buzzfeed.com

@zhirji28

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

**Sent**: 3/20/2018 5:16:08 PM

To: Eilperin, Juliet [Juliet.Eilperin@washpost.com]; Dennis, Brady [Brady.Dennis@washpost.com]

**Subject**: RE: Scott Pruitt Will End EPA's Use Of 'Secret Science' To Justify Regulations

#### On the record:

"Administrator Pruitt believes that Americans deserve transparency, with regard to the science and data that's underpinning regulatory decisions being made by this Agency," – EPA spokesperson Liz Bowman

### Background (not for attribution):

We are in the process of finalizing a proposal to put out for public comment on this issue...we are still a few weeks out from making an official announcement.

**From:** Eilperin, Juliet [mailto:Juliet.Eilperin@washpost.com]

**Sent:** Tuesday, March 20, 2018 9:27 AM

**To:** Bowman, Liz <Bowman.Liz@epa.gov>; Dennis, Brady <Brady.Dennis@washpost.com> **Subject:** RE: Scott Pruitt Will End EPA's Use Of 'Secret Science' To Justify Regulations

Hey Liz, is there a chance we can set up an interview today to discuss this science initiative? We'd be happy to talk to the administrator or a key staffer, whatever works for you.

Best,

Juliet

Frame EDA Droce Office Aprocemona gov@cmail20.com> On Pohalf Of EDA Droce Office

From: EPA Press Office press=epa.gov@cmail20.com> On Behalf Of EPA Press Office

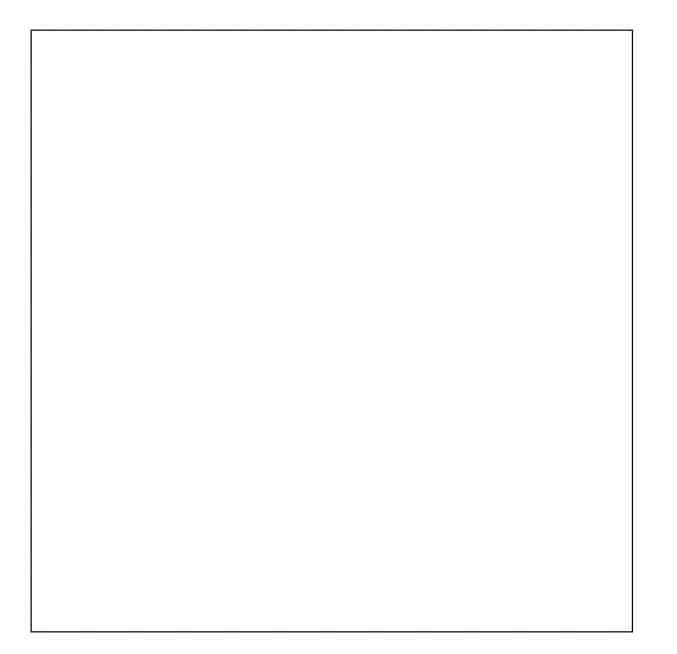
**Sent:** Tuesday, March 20, 2018 8:50 AM

To: Eilperin, Juliet < Juliet. Eilperin@washpost.com >

Subject: Scott Pruitt Will End EPA's Use Of 'Secret Science' To Justify Regulations

No Images? <u>Click here</u> [usenvironmentalprotectionagency.cmail20.com]

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## The Daily Caller

# Scott Pruitt Will End EPA's Use Of 'Secret Science' To Justify Regulations

Michael Bastasch March 19, 2018

http://dailycaller.com/2018/03/19/epa-scott-pruitt-secret-science/ [usenvironmentalprotectionagency.cmail20.com]

Environmental Protection Agency (EPA) Administrator Scott Pruitt will soon end his agency's use of "secret science" to craft regulations.

"We need to make sure their data and methodology are published as part of the record," Pruitt said in an exclusive interview with The Daily Caller News Foundation. "Otherwise, it's not transparent. It's not objectively measured, and that's important."

Pruitt will reverse long-standing EPA policy allowing regulators to rely on non-public scientific data in crafting rules. Such studies have been used to justify tens of billions of dollars worth of regulations.

EPA regulators would only be allowed to consider scientific studies that make their data available for public scrutiny under Pruitt's new policy. Also, EPA-funded studies would need to make all their data public.

"When we do contract that science out, sometimes the findings are published; we make that part of our rule-making processes, but then we don't publish the methodology and data that went into those findings because the third party who did the study won't give it to us," Pruitt added.

"And we've said that's fine — we're changing that as well," Pruitt told TheDCNF.

Conservatives have long criticized EPA for relying on scientific studies that published their findings but not the underlying data. However, Democrats and environmental activists have challenged past attempts to bring transparency to studies used in rule making.

Texas Republican Rep. Lamar Smith pushed legislation to end the use of what he calls "secret science" at EPA. Pruitt instituted another policy in 2017 backed by Smith against EPA-funded scientists serving on agency advisory boards.

"If we use a third party to engage in scientific review or inquiry, and that's the basis of rulemaking, you and every American citizen across the country deserve to know what's the data, what's the methodology that was used to reach that conclusion that was the underpinning of what — rules that were adopted by this agency," Pruitt explained.

Pruitt's pending science transparency policy mirrors Smith's HONEST Act, which passed the House in March 2017. Smith's office was pleased to hear Pruitt was adopting another policy the House Committee on Science, Space and Technology chairman championed.

"The chairman has long worked toward a more open and transparent rule-making process at EPA, and he looks forward to any announcement from Administrator Pruitt that would achieve that goal," committee spokeswoman Thea McDonald told TheDCNF.

Junk science crusader Steve Milloy also called on EPA to end its use of "secret science" in rule making, especially when it comes to studies on the toxicity of fine particulates in the air.

EPA has primarily relied on two 1990s studies linking fine particulate pollution to premature death. Neither studies have made their data public, but EPA used their findings to justify sweeping air quality regulations.

Reported benefits from EPA rules are "mostly attributable to the reduction in public exposure to fine particulate matter," according to the White House Office of Management and Budget report. That's equivalent to billions of dollars.

In fact, one of EPA's most expensive regulation on the books, called MATS, derived most of its estimated benefits from reducing particulates not from reducing mercury, which the rule was ostensibly crafted to address.

EPA estimated MATS would cost \$8.2 billion but yield between \$28 billion to \$77 billion in public health benefits. It's a similar story for the Clean Power Plan, which EPA estimated would cost \$8.4 billion and yield from \$14 billion to \$34 billion in health and climate benefits.

Democrats and environmentalists have largely opposed attempts to require EPA rely on transparent scientific data. Said data would restrict the amount of studies EPA can use, but a major objection is making data public would reveal confidential patient data, opponents argue.

"A lot of the data that EPA uses to protect public health and ensure that we have clean air and clean water relies on data that cannot be publicly released," Union of Concerned Scientists representative Yogin Kothari told E&E News.

"It really hamstrings the ability of the EPA to do anything, to fulfill its mission," Kothari said.

Milloy, however, countered and argued it's a "red herring" to claim that forcing regulators to use public science data would harm patient privacy.

"The availability of such data sets is nothing new," said Milloy, publisher of <u>JunkScience.com</u> and senior fellow at the Energy and Environmental Legal Institute.

"The state of California, for example, makes such data available under the moniker, 'Public Use Death Files,'" Milloy said. "We used such data in the form of over two million anonymized death certificates in our recent California study on particulates and death."

"Opponents of data transparency are just trying to hide the data from independent scrutiny," Milloy added. "But the studies that use this data are taxpayer-financed, and they are used to regulate the public."

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From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

**Sent**: 2/27/2018 6:48:59 PM

To: Michael Bastasch [mike@dailycallernewsfoundation.org]

**Subject**: FW: Per your Request -

For background, not for attribution.

From: Bowman, Liz

**Sent:** Tuesday, February 27, 2018 1:47 PM **To:** 'Miranda Green' <mgreen@thehill.com>

Cc: Konkus, John <konkus.john@epa.gov>; Block, Molly <block.molly@epa.gov>; Kelsi Daniell (daniell.kelsi@epa.gov) <daniell.kelsi@epa.gov>; Jahan Wilcox (wilcox.jahan@epa.gov) <wilcox.jahan@epa.gov>; Abboud, Michael

<abbout.michael@epa.gov>; hewitt.james@epa.gov

**Subject:** Per your Request -

Please send to your editor, as you haven't provided his/her name or contact information yet.

Major EPA reorganization will end science research program – Not true, research will continue BY MIRANDA GREEN - 02/26/18 08:49 PM EST

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See above.

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Seife v. EPA (1:19-cv-05190) 9.1.2020 ED\_003047\_00006953-00002

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The EPA official did not acknowledge how the agency rearrangement may address those issues.

Liz Bowman
U.S. Environmental Protection Agency (EPA)
Office: 202-564-3293

Seife v. EPA (1:19-cv-05190) 9.1.2020 ED\_003047\_00006953-00004

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

Sent: 2/27/2018 6:18:38 PM
To: zahra.hirji@buzzfeed.com

Subject: EPA reorganization

Your article is grossly inaccurate. All funding of the Agency comes through Congress and the reorganization has nothing to do with that – ALL the research will continue. On background (for your understanding, not for attribution): the main issue with the Hill article is the mischaracterization of what is happening – this is not a political reorganization, but one that the career staff and political leadership initiated together because they see a need for it based on changes that have occurred in the agency and research over many years. At this time, ORD career and political leaders have developed management efficiencies in a reorganization package for the department. They initiated a proposal that will go through the approval process.

Thank you – Liz

Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP From:

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

1/8/2018 2:53:04 PM Sent:

To: Ford, Hayley [ford.hayley@epa.gov]

Subject: RE: Lunch Today

THANK YOU! They are super excited.

From: Ford, Hayley

Sent: Monday, January 8, 2018 9:45 AM To: Bowman, Liz <Bowman.Liz@epa.gov>

Subject: Lunch Today

He has an open lunch at the Mess today at 12PM and we thought he could go with a couple staff from OPA. I think there's several on your team who haven't been and would enjoy it. Kelsi maybe? Are you free to go or could Jahan take 1-2 staff with him? Perhaps a good time to talk press strategy?

Let me know – I need to put through WAVES and let PSD know soon. Departure is 11:45.

Thanks!

Hayley Ford
Deputy White House Liaison and Personal Aide to the Administrator **Environmental Protection Agency** 

ford.hayley@epa.gov Phone: 202-564-2022 Cell: Ex. 6 Personal Privacy (PP)

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

**Sent**: 12/18/2017 7:49:06 PM

**To**: John Siciliano [jsiciliano@washingtonexaminer.com]

CC: Jahan Wilcox (wilcox.jahan@epa.gov) [wilcox.jahan@epa.gov]

Subject: CPP ANPRM

Attachments: FRN State GHG Guidelines 2060-AT67 ANPRM 20171214 signature.docx

Attached is a copy of the ANPRM. This link is where the fact sheet and prepublication version of the ANPRM will be posted, after we have confirmation of signature – it hasn't been signed yet, but we expect any minute. Please wait until the link goes live to publish for attribution...

https://www.epa.gov/stationary-sources-air-pollution/electric-utility-generating-units-advance-notice-proposed

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"Consistent with our commitment to the rule of law, we've already set in motion an assessment of the previous administration's questionable legal basis in our proposed repeal of the Clean Power Plan. With a clean slate, we can now move forward to provide regulatory certainty," **said EPA Administrator Scott Pruitt.** "Today's move ensures adequate and early opportunity for public comment from all stakeholders about next steps the Agency might take to limit greenhouse gases from stationary sources, in a way that properly stays within the law, and the bounds of the authority provided to EPA by Congress."

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From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

**Sent**: 12/18/2017 7:12:10 PM

To: valerie.volcovici@thomsonreuters.com

CC: Wilcox, Jahan [wilcox.jahan@epa.gov]

Subject: RE: Embargoed CPP ANPRM -- 2 p.m. Embargo

It will go live once the ANPRM is signed; I think we are still waiting for that. Is there a particular question you have? I might be able to help answer it

From: valerie.volcovici@thomsonreuters.com [mailto:valerie.volcovici@thomsonreuters.com]

**Sent:** Monday, December 18, 2017 2:09 PM **To:** Bowman, Liz <Bowman.Liz@epa.gov> **Cc:** Wilcox, Jahan <wilcox.jahan@epa.gov>

Subject: RE: Embargoed CPP ANPRM -- 2 p.m. Embargo

Hi again

Is that fact sheet live yet? I was just looking for more details thanks

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]

Sent: Monday, December 18, 2017 1:18 PM

**To:** Volcovici, Valerie (Reuters)

Cc: Wilcox, Jahan

Subject: Embargoed CPP ANPRM -- 2 p.m. Embargo

#### EMBARGOED UNTIL 2 P.M.

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**To:** Robin Bravender[rbravender@eenews.net]

From: Bowman, Liz[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

**Sent:** Mon 12/18/2017 7:11:35 PM (UTC)

Subject: RE: Embargoed CPP ANPRM -- 2 p.m. Embargo

Whenever it's signed; so soon I guess?

From: Robin Bravender [mailto:rbravender@eenews.net]

**Sent:** Monday, December 18, 2017 2:03 PM **To:** Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Embargoed CPP ANPRM -- 2 p.m. Embargo

Hey, is that link going live soon?

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Monday, December 18, 2017 1:49 PM
To: Robin Bravender <rbravender@eenews.net>

Subject: RE: Embargoed CPP ANPRM -- 2 p.m. Embargo

Sure

From: Robin Bravender [mailto:rbravender@eenews.net]

**Sent:** Monday, December 18, 2017 1:44 PM **To:** Bowman, Liz <<u>Bowman.Liz@epa.gov</u>>

Subject: RE: Embargoed CPP ANPRM -- 2 p.m. Embargo

Can we publish right at 2?

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Monday, December 18, 2017 1:16 PM
To: Robin Bravender <<u>rbravender@eenews.net</u>>
Subject: Embargoed CPP ANPRM -- 2 p.m. Embargo

FOR YOU ONLY -- EMBARGOED UNTIL 2 P.M.

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**To:** asaiyid@bna.com[asaiyid@bna.com]

**Cc:** Kelsi Daniell (daniell.kelsi@epa.gov)[daniell.kelsi@epa.gov]

From: Bowman, Liz[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

**Sent:** Tue 1/23/2018 2:33:50 AM (UTC)

Subject: FW: U.S. Supreme Court rules that federal district courts review wotus rule

Hi Amena – I want to follow-up on what Kelsi sent you on the record, and provide additional background (not for attribution) that may help inform your article: While the Trump Justice Department maintained the previous Administration's opinion on the proper venue for the legal point as to which court should hear certain types of Clean Water Act cases, that is not a loss for the Trump administration. The Justice Department almost never changes position on a case when it is on appeal and a change in position is much more rare still when the case is before the Supreme Court. The current administration has arranged to have 'step zero' rule ready to go into effect in short order. Today's decision was expected, and this administration has prepared by taking steps to ensure that the 2015 Obama rules don't come back into effect and provide regulatory certainty to affected stakeholders. The two-year delay in the applicability date of the 2015 Obama rules will ensure that EPA and the Corps of Engineers can put into place a well-reasoned and well-written rule that clearly delineates the jurisdictional bounds of the Clean Water Act. Today's decision has no bearing on that goal. Thanks again -- Liz

From: "Saiyid, Amena" <asaiyid@bloombergenvironment.com>

**Date:** January 22, 2018 at 6:35:53 PM EST **To:** "Daniell, Kelsi" <daniell.kelsi@epa.gov>

Subject: Re: U.S. Supreme Court rules that federal district courts review wotus rule

So when is the government finalizing its rule to push back the 2015 rule to 2020? Tomorrow or February as reported in the reg agenda.

Sent from my iPhone

On Jan 22, 2018, at 6:24 PM, Daniell, Kelsi <a href="mailto:kelsi@epa.gov">daniell.kelsi@epa.gov</a>> wrote:

Amena, here is some additional background that will be helpful.

#### Additional background:

- The decision by the Supreme Court today was in regard to the Obama administration's position on court jurisdiction, and the Trump administration chose not change that strategy.
- There is a period of reconsideration with the Supreme Court that is available to litigants, therefore the Trump EPA put procedures in place to provide certainty to the regulated community throughout this repeal process.
- While this decision means that the 6<sup>th</sup>Circuit will not have jurisdiction in the near term, the 13 state stay by the North Dakota District Court will remain in place.
- While this decision appears to mean that some states (13) will not be affected by today's decision and the rest of the country may need to follow the 2015 rule, the Trump administration prepared for this patchwork of uncertainty and has developed a plan to ensure that the 2015 rule remains stayed in the long term.
- The 13 states under the stay from the district court in North Dakota include: North Dakota, Alaska, Arizona, Arkansas, Colorado, Idaho, Missouri, Montana, Nebraska, Nevada, South Dakota, Wyoming, and New Mexico.

Sent from my iPhone

On Jan 22, 2018, at 1:27 PM, Daniell, Kelsi <daniell.kelsi@epa.gov> wrote:

"The Trump administration saw this decision coming and put a plan in place to level the playing field and ensure certainty for states and regulated community. The Trump administration's stay of the 2015 WOTUS rule will

very likely be complete before any change in court jurisdiction can be finalized, or the Obama administration's overreaching definition of WOTUS can be implemented," **EPA spokesperson Liz Bowman.** 

From: Saiyid, Amena [mailto:asaiyid@bloombergenvironment.com]

Sent: Monday, January 22, 2018 11:07 AM

**To:** Lynn, Tricia < <a href="mailto:lynn.tricia@epa.gov">lynn.tricia@epa.gov</a>>; Bowman, Liz <a href="mailto:Bowman.Liz@epa.gov">Bowman, Liz <a href="mailto:Bowman.Liz@epa.gov">Bowman.Liz@epa.gov</a>></a>

rule

Importance: High

Good Morning Tricia and Liz,

What does that mean for the 2015 Clean Water Rule, and the agency's proposed rulemaking to push it back by two years.

Does that mean the Obama-era water rule goes into effect? What are the EPA and the corps doing to expedite their rulemaking?

Appreciate a response asap.

Thanks, amena

Amena H. Saiyid Water Reporter

#### **Bloomberg Environment**

D: 703 341-3695 C: Ex. 6 Personal Privacy (PP)

asaiyid@bloombergenvironment.com

**To:** Smith, Abby[asmith@bloombergenvironment.com]

From: Bowman, Liz[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

**Sent:** Mon 12/18/2017 6:49:28 PM (UTC)

**Subject:** RE: Embargoed CPP ANPRM -- 2 p.m. Embargo

No press call; thank you!

From: Smith, Abby [mailto:asmith@bloombergenvironment.com]

**Sent:** Monday, December 18, 2017 1:30 PM **To:** Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Embargoed CPP ANPRM -- 2 p.m. Embargo

Liz,

Thanks so much for the heads up on this! I appreciate it. I'll be sure to check the link you provided at 2 p.m. to ensure the ANPR has been published before we run anything on our site, but please let me know if there's any change in schedule.

Also, I'm not sure if there will be a press call or any sort of other press materials on this, but please let me know on that, too.

Thanks again,

Abby

#### **Abby Smith**

Reporter, Climate Change

#### **Bloomberg Environment**

703-341-3778

asmith@bloombergenvironment.com

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]

Sent: Monday, December 18, 2017 1:20 PM

To: Smith, Abby

Subject: Embargoed CPP ANPRM -- 2 p.m. Embargo

EMBARGOED UNTIL 2 P.M.

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**To:** Eilperin, Juliet[Juliet.Eilperin@washpost.com]

Cc: Dennis, Brady[Brady.Dennis@washpost.com]; Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Bowman, Liz[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

**Sent:** Mon 12/18/2017 6:21:52 PM (UTC)

Subject: Re: Embargoed CPP ANPRM -- 2 p.m. Embargo

Yes sorry, getting those shortly

Sent from my iPhone

On Dec 18, 2017, at 1:20 PM, Eilperin, Juliet < Juliet. Eilperin@washpost.com > wrote:

Thanks very much, Liz. I am slammed on another story today, but hopefully Brady can jump on this. And then we are hoping to get feedback from our editor on the Pruitt story, so once that is done we can check in on remaining questions. And on that front, if you can provide us with feedback on those graphic-related questions, that would be great.

Best, Juliet

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]

Sent: Monday, December 18, 2017 1:09 PM

To: Dennis, Brady < <a href="mailto:Brady.Dennis@washpost.com">Brady <a href="mailto:Brady.Dennis@washpost.com">Bra

Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>

**Subject:** Embargoed CPP ANPRM -- 2 p.m. Embargo

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**To:** Henry Brean[hbrean@reviewjournal.com]

From: Bowman, Liz[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

Sent: Thur 2/8/2018 7:51:43 PM (UTC)
Subject: RE: Follow-up | question re EPA lab

Hi Henry – Please see below, on background – not for attribution. Thank you – Liz

#### **BACKGROUND:**

#### Las Vegas Timeline

- EPA has had a leasing arrangement with the University of Las Vegas, Nevada (UNLV) for many years, allowing EPA to rent laboratory and office space on the university campus. With the expiration of the lease on Sept. 30, 2020, EPA is preparing to vacate the 2.5 buildings of lab and office space the agency is presently leasing.
- Under the last Administration, the Agency proposed to build a new laboratory/multi-use facility in Las Vegas.
- Consequently, EPA's Office of Research and Development is consolidating lab operations to government-owned research facilities in other geographic locations. This consolidation effort is in compliance with a 2016 federal law directing federal agencies to reduce the federal government footprint and decrease the amount of leased space used by federal agencies. Vacating the leased space on the UNLV campus and relocating research laboratories to existing federally-owned facilities is expected to save approximately \$1.25 million per year in lease costs.
- EPA expects to relocate EPA workforce from the UNLV campus by the end of 2018 in order to allow time to conduct an environmental due diligence assessment of the vacated facilities. Environmental due diligence is a process performed to ensure the space is safe for future use.
- ORD notified our National Research Exposure Laboratory staff with laboratory functions that they will be relocated from Las Vegas (Official Union Notification May 3, 2017) or have the option to find other employment or retire. EPA is paying for the costs of those individuals willing to relocate and to date, 8 of the 9 laboratory personnel have agreed to relocate.
- With increasing pressure on our resources and internal and external drivers to reduce the federal footprint, particularly in leased space, ORD has made the decision to end all operations in Las Vegas by September 30, 2018. The non-laboratory staff in Las Vegas include modelers, health and safety staff, a facility manager, as well as administrative staff.
- On Tuesday, February 6, 2018, ORD notified the remainder of staff in Las Vegas that they will be given the option to relocate to
  one of ORD's other locations, retire, or separate from the Agency by September 30, 2018. The Agency will pay for relocation
  costs.

## Q: Where can I find information about the 2016 federal law directing federal agencies to reduce the federal government footprint?

A: The law can be found online here: <a href="https://www.govtrack.us/congress/bills/114/hr4465/text/enr">https://www.govtrack.us/congress/bills/114/hr4465/text/enr</a>

#### Q: Which EPA labs and offices are located on the UNLV campus?

A: Leased space on the UNLV campus currently only has staff from EPA's Office of Research and Development (ORD), including the following ORD labs and offices:

- EPA's National Exposure Research Laboratory (NERL)
- EPA's National Homeland Security Research Center (NHSRC)
- EPA's Office of Science Information Management (OSIM)
- EPA's Office of Administration and Research Support (OARS)

#### Q: How many EPA federal employees are located on UNLV?

A: There are approximately 40 EPA federal employees located on the UNLV campus.

From: Henry Brean [mailto:hbrean@reviewjournal.com]

**Sent:** Wednesday, February 7, 2018 6:27 PM **To:** Bowman, Liz <Bowman.Liz@epa.gov> **Subject:** Re: Follow-up | question re EPA lab

Thank you. I left a message with the public affairs person for Region 9 as well.

I'm also trying to clarify if the EPA is closing all of its offices in Las Vegas in September or just its facilities on the UNLV

Seife v. EPA (1:19-cv-05190)

9.1.2020

ED\_003047\_00006999-00001

campus. I guess the EPA rents office space across the street from the university and has at minimum a finance office there.

#### **Henry Brean**

Reporter 1111 W. Bonanza Road, Las Vegas, Nevada 89106 P. 702.383.0350

On Wed, Feb 7, 2018 at 3:11 PM, Bowman, Liz < Bowman.Liz@epa.gov > wrote:

Hi Henry – We are trying to track this down; will get back to you as soon as we can. Thank you – Liz

From: Henry Brean [mailto:hbrean@reviewjournal.com]

**Sent:** Wednesday, February 7, 2018 5:29 PM **To:** Bowman, Liz <<u>Bowman.Liz@epa.gov</u>> **Subject:** Re: Follow-up | question re EPA lab

Hi again, Liz.

I don't know if you saw my follow-up questions about the EPA lab in Las Vegas I sent yesterday. I was trying to find out specifics on how many people worked at the office in Las Vegas prior to 2011, how many remain today, and how many of those impacted by this change have decided to remain with EPA?

Now I have another question for you: Apparently in 2014, Congress approved \$7.85 million for the EPA to begin the planning process for a new office in Las Vegas. In light of EPA's decision not to keep offices here, do you know what happened to that money?

Let me know. Thanks.

#### **Henry Brean**

Reporter
1111 W. Bonanza Road, Las Vegas, Nevada 89106
P. 702.383.0350

On Tue, Feb 6, 2018 at 11:28 AM, Bowman, Liz < Bowman, Liz@epa.gov > wrote:

Hi Henry – EPA is consolidating services into EPA-owned buildings in Cincinnati, Ohio and Research Triangle Park, NC. This decision will save taxpayer dollars and streamline layers. EPA staff will be given the opportunity to relocate to an EPA-owned facility by the summer of 2018.

For additional background (not attribution):

The previous administration decided (2011) to start consolidating the facility foot print and therefore, EPA's Office of Research and Development is moving out of leased space. In 2018, ORD will move all employees out of the leased space in Las Vegas, NV. The move will be completed by September 30, 2018. Staff affected by this consolidation will be given the option to relocate to one of ORD's other locations, retire, or separate from the Agency. The Agency will pay for relocation costs. As this decision was made a while ago, there are a few employees left in the space, who have known for a while that there will be an opportunity to relocate.

From: Bowman, Liz [Bowman.Liz@epa.gov]

**Sent**: 12/7/2017 5:19:42 PM

To: Kissel, Mary [mary.kissel@wsj.com]
Subject: EPA - Permitting/NSR Reform Memo

Hi Mary - I want to see if you are interested in an action EPA is taking today: we are sending a memo from our Air Office to our 10 Regional Administrators about the steps we are taking on NSR reform. If you would like, we can schedule a background call with someone in our air office, about the forward-looking aspects of the memo. Some information (for background only, not for attribution) are below. The memo is currently being finalized now, and I can send it to you when it's ready – just wanted to give you a friendly heads-up. If you are interested, I can be reached at Ex. 6 Personal Privacy (PP) Thanks – Liz

#### **BACKGROUND: NSR Reform Memo**

- The America First agenda includes removing barriers to economic growth.
- One of the largest obstacles to economic growth has been unnecessarily complicated and costly permitting requirements.
- The previous administration exploited many well-intentioned permitting programs to pick winners and losers across all industrial sectors resulting in sidelined projects, lost investment and ultimately limiting economic growth.
- At the forefront of the previous administration's economic obstruction was EPA's preconstruction permitting requirements under the Clean Air Act, referred to as the "New Source Review" or NSR Program.
- The purpose of NSR is to limit significant increases in emissions from either new facilities or existing facilities that undergo a major change or modification.
- Many NSR-related problems stem from determining whether or not a project at an existing facility triggers NSR requirements. In technical terms, this analysis is referred to as the "applicability determination."
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    facility must still provide notice of the project to either the EPA or the
    state designated regulator. As an accountability mechanism for this type of evaluation, EPA's
    regulations require a facility to report actual emissions every year for either five or 10 years
    after a project is complete.
- While these NSR requirements are clear, misguided enforcement initiatives from the previous administration effectively undermined them. Further problematic, the Agency often second guessed the work of state permitting authorities even when they were operating consistent with EPA-approved state NSR programs.
- This approach not only undermines cooperative federalism, but resulted in an atmosphere of uncertainty and inconsistency.
- After almost a year of review and discussion about NSR reform, we are now moving forward with the promised reforms.

- Under the direction of President Trump's Memo entitled, Streamlining Permitting and Reducing Regulatory Burdens for Domestic Manufacturing, the EPA has reviewed the NSR program and made reforming it a priority.
- This first step clarifies that so long as a company complies with the procedural requirements of a preconstruction analysis, then EPA will not come in and second guess that analysis.
- Providing certainty and clarity on this issue is an important first step to encouraging investments across
  all industrial sectors to move forward with incorporating new technologies and improving operational
  efficiencies, yielding both economic and environmental benefits.

<u>Litigation Background</u> – U.S. v. DTE: In 2010, Detroit Edison (DTE) proceeded with a number of maintenance projects to improve efficiency at one of its Michigan facilities. The company underwent a pre-construction analysis and determined there would be no significant emissions increase and therefore, NSR did not apply. Consistent with EPA regulations, the company provided notice to the State of Michigan and began construction. The projects were completed later that year and since then, emissions at the facility have decreased.

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To: Kissel, Mary[mary.kissel@wsj.com]

From: Bowman, Liz[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

**Sent:** Thur 12/7/2017 8:54:54 PM (UTC)

Subject: Re: EPA - Permitting/NSR Reform Memo

Busy news day!

Sent from my iPhone

On Dec 7, 2017, at 3:25 PM, Kissel, Mary < mary.kissel@wsj.com > wrote:

Roger, just reading your second email now. Got buried in work today, quite a mess.

On Thu, Dec 7, 2017 at 3:23 PM, Bowman, Liz < Bowman.Liz@epa.gov > wrote:

None of this is public yet

Sent from my iPhone

On Dec 7, 2017, at 3:15 PM, Kissel, Mary < mary.kissel@wsj.com > wrote:

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--

Mary E. Kissel
Editorial Board Member, The Wall Street Journal.

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Office: +1 212 416-3121 Twitter: @marykissel

Mary E. Kissel Editorial Board Member, The Wall Street Journal. 1211 Avenue of the Americas, New York, NY 10036 Office: +1 212 416-3121 Twitter: @marykissel From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

**Sent**: 12/7/2017 8:23:11 PM

To: Kissel, Mary [mary.kissel@wsj.com]
Subject: Re: EPA - Permitting/NSR Reform Memo

None of this is public yet

Sent from my iPhone

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Seife v. EPA (1:19-cv-05190) 9.1.2020 ED\_003047\_00007014-00002

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Mary E. Kissel Editorial Board Member, The Wall Street Journal. 1211 Avenue of the Americas, New York, NY 10036 Office: +1 212 416-3121 Twitter: @marykissel

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

Sent: 3/7/2018 3:58:21 PM

To: Elliott, Dan [delliott@ap.org]

Subject: RE: A third follow-up question

Hi Dan – On Background (not for attribution): We encourage you to reach out to DOJ for this question, as the Federal Tort Claims Act applies to the entire federal government, not just EPA. Thanks – Liz

The FTCA states: "A tort claim against the United States shall be forever barred unless it is presented in writing to the appropriate Federal agency within two years after such claim accrues or unless action is begun within six months after the date of mailing, by certified or registered mail, of notice of final denial of the claim by the agency to which it was presented."

From: Elliott, Dan [mailto:delliott@ap.org]
Sent: Tuesday, March 6, 2018 5:02 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: A third follow-up question

Liz:

In addition to the two questions in my earlier email, I have another: Did the statute of limitations for Gold King claims expire on Aug. 5? Can any more claims be filed?

Dan Elliott



#### ASSOCIATED PRESS

Dan Elliott
303-825-0123 (Office)

[EX. 6 Personal Privacy (PP)] (Mobile)

delliott@ap.org @DanElliottAP

http://bigstory.ap.org/content/dan-elliott

1120 Lincoln St. Suite 901 Denver, CO 80203

From: Elliott, Dan

Sent: Tuesday, March 06, 2018 12:15 PM To: 'Bowman, Liz' < Bowman.Liz@epa.gov>

Subject: RE: Questions about damage claims from Gold King Mine spill

Liz:

Thank you for this. Two follow-up questions:

- 1. Was the six-month deadline to "act on claims under reconsideration" that Administrator Pruit mentioned in the Aug. 4, 2017, news release a self-imposed deadline or is it stated in federal law or EPA regulations?
- 2. When do you expect to complete the review?

Thanks.

Dan Elliott



#### ASSOCIATED PRESS

Dan Elliott 303-825-0123 (Office)

Ex. 6 Personal Privacy (PP) (Mobile)

delliott@ap.org @DanElliottAP

http://bigstory.ap.org/content/dan-elliott

1120 Lincoln St. Suite 901 Denver, CO 80203

From: Bowman, Liz <<u>Bowman.Liz@epa.gov</u>>
Sent: Monday, March 05, 2018 8:23 AM

To: Elliott, Dan < delliott@ap.org>

Cc: Abboud, Michael <abboud.michael@epa.gov>

Subject: RE: Questions about damage claims from Gold King Mine spill

H Dan -- To the first two questions, the Agency received hundreds of new claims during 2017, many of which were submitted after the administrator indicated in July 2017 that he would reconsider the previously denied claims. The 400-or-so number is correct. With regard to the last question: We are in the process of examining the merits of all of the claims not currently in litigation, including the supporting documentation submitted by the claimants.

Thank you – Liz

From: Elliott, Dan [mailto:delliott@ap.org]
Sent: Friday, March 2, 2018 12:54 AM
To: Bowman, Liz < Bowman.Liz@epa.gov>

Cc: Abboud, Michael <abboud.michael@epa.gov>

Subject: Re: Questions about damage claims from Gold King Mine spill

Liz:

Hoping to wrap up at noon ET Tuesday.

Dan

Get Outlook for iOS

From: Bowman, Liz < Bowman.Liz@epa.gov > Sent: Thursday, March 1, 2018 6:37:16 PM

**To:** Elliott, Dan **Cc:** Abboud, Michael

Subject: Re: Questions about damage claims from Gold King Mine spill

Hi Dan - What's your deadline? I need to ask some folks here

On Mar 1, 2018, at 8:17 PM, Elliott, Dan < delliott@ap.org > wrote:

Michael, Liz:

We communicated last August about claims filed against the EPA for the Gold King Mine spill. I received a list of claims, attached, from the EPA today in response to a FOIA request. I have three questions for you:

- 1. An EPA news release (<a href="http://bit.ly/2F4A43F">http://bit.ly/2F4A43F</a>) dated Aug. 4, 2017, stated, "There are currently 144 total claims pending, including the ones undergoing reconsideration, that require EPA action." However, list I received has 403 claims. Which is the correct number?
- 2. In January 2017, the EPA said it had received 73 claims. Why did the number change?
- 3. The Aug. 4 news release also stated, "EPA has six months (until the end of December) to act on claims under reconsideration." Six months from Aug. 4 would be Feb. 6, 2018. Either way, the six months has expired. Has EPA reached a decision on all the claims and, if so, what were the decisions?

Thank you.

Dan Elliott



<image002.jpg>

1120 Lincoln St.

Denver, CO 80203

Suite 901

Dan Elliott
303-825-0123 (Office)

[Ex. 6 Personal Privacy (PP)] (Mobile)
delliott@ap.org
@DanElliottAP

http://bigstory.ap.org/content/dan-elliott

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(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

**Sent**: 12/8/2017 11:57:50 PM

To: Fred Barnes [fwbarnes@weeklystandard.com]

Subject: Follow-Up

Hi Fred – Good talking to you just now. You caught me right before I packed up...I sent you a separate email with a link to the tweet where the administrator met with the Moms Clean Air Force. I will talk with Samantha about a background discussion with you on Monday or Tuesday and be back with you shortly. With regard to our press strategy, it truly is a team effort – from Jahan's extensive contacts and campaign experience, to my strategic messaging and public affairs experience – we work to further the truth of work being done at EPA through Administrator Pruitt's leadership. If you have any further questions, please do not hesitate to reach out to me at Ex. 6 Personal Privacy (PP) (my cell). Thank you – Liz

### **Examples of action taken during visits to the states:**

- ∞ ARKANSAS: Pruitt visited Arkansas and announced EPA's approval of Arkansas' 303(d) water quality standards that list impaired waters for the state of Arkansas, dating back to 2010. EPA is clearing the backlog that existed for the years 2010, 2012, 2014 and 2016.

https://www.epa.gov/newsreleases/photos-pruitt-stops-arkansas-state-action-tour

MISSISSIPPI: Pruitt visited Mississippi and announced that EPA is working on an agreement with the manufacturers of the pesticide dicamba to minimize the potential for drift to damage neighboring crops from the use of the pesticide − an agreement that will allow cotton and soybean farmers to make informed choices for seed purchases for the 2018 growing season.

https://www.epa.gov/newsreleases/photos-administrator-pruitt-visits-mississippi

∞ COLORADO: Pruitt delivered on a promise made during his confirmation hearing to visit Gold King Mine and work on a plan: "Fulfilling his promise during his confirmation hearing to the people of Colorado to visit the site, Administrator Pruitt, along with U.S. Senators Cory Gardner and Michael Bennett and Colorado Governor John Hickenlooper toured Gold King Mine, met with EPA staff on site and discussed a path forward."

https://www.epa.gov/newsreleases/administrator-pruitt-visits-gold-king-mine-anniversary-spill

∞ INDIANA: Pruitt visited E. Chicago and pledged coordinated clean up on a contaminated site that has languished for decades: <a href="https://www.epa.gov/newsreleases/epa-administrator-visits-contaminated-site-east-chicago-pledges-coordinated-cleanup">https://www.epa.gov/newsreleases/epa-administrator-visits-contaminated-site-east-chicago-pledges-coordinated-cleanup</a>

The workforce survey results, showing that it isn't as the media claims – and that it varies from office to office and region to region. It's worth noting that EPA's air office is the office that was responsible for crafting the Clean Power Plan.

### The Hill

http://thehill.com/business-a-lobbying/363446-survey-satisfaction-of-federal-workers-rising

#### Survey: Satisfaction of federal workers rising

By Megan R. Wilson, 12/6/17

Employee satisfaction across the government improved by an average of 2.1 points in 2017 in the months after President Trump took office, compared to the same time last year, according to a new survey of federal workers.

Federal government agencies, large and small, reported an average score of 61.5 points in employee engagement on the 100-point scale, an increase from 2016, according to data compiled by the Office of Personnel Management (OPM).

"The three-year increase in employee engagement follows a concerted effort by agencies across government to improve how employees view their leaders and their jobs. Building on this momentum will require a strong commitment from the Trump administration to continue improving the employee experience — from training and developing leaders to ensuring employees have a positive work environment and the resources they need," said the analysis of OPM data by the nonprofit Partnership for Public Service and the audit and consulting firm Deloitte, the groups which conducted the survey.

Still, the jump was not uniform across the government, as workers at the FBI, State Department and the White House's Office of Management and Budget (OMB), among others, reported being less happy at their jobs than they were the year before.

Overall, 22 of the 200 agencies surveyed had a drop of 2 or more points in their overall satisfaction and employee engagement.

The top-line numbers of the survey, which rank the best places to work in the federal government, take 10 categories into consideration — including pay, views of senior leaders and their effectiveness, teamwork, work-life balance, innovation, and support for diversity, among others. Support for diversity was the category with the greatest improvement across government agencies.

"It's important to recognize the positive story here, the overall engagement numbers went up, and they went up in a big way: 2.1 percent is a big increase for an entity this size, the whole government," Max Stier, the president and chief executive of the Partnership for Public Service, told The Hill. "This is a red warning light for an agency heading in the wrong direction."

"They're heading in the wrong direction when everyone else is going right. Where are things that are going up a lot, and what can we learn from them? Where are they going down?"

The survey was conducted in the early months of the Trump administration, between April and June. The rankings are split among large agencies, which have 15,000 or more employees; mid-size agencies, with at least 1,000 workers; and small agencies.

Unlike previous years, the OPM had only provided data for agencies with more than 300 employees, rather than those with 50 or more employees. Under the new criteria, there are only seven small agencies and 150 agency subcomponents. However, it later reversed the decision, and the Partnership for Public Service will analyze those numbers next year.

The point of the survey, Stier said, is to provide transparency to agency heads and show them areas in which they can improve.

Of 18 large government agencies, NASA employees ranked their engagement the highest, with an overall score of 80.9. The Department of Homeland Security (DHS) ranked last, with 52 points. However, DHS was the most improved among the large agencies, boosting its score by 6.2 points.

Seife v. EPA (1:19-cv-05190) 9.1.2020 ED\_003047\_00007039-00002

The State Department, which ranked No. 8 among the large agencies in employee satisfaction, dropped its overall score 2.8 points to a score of 64. The Justice Department, No. 11, dropped 2 points to 63.7.

State Department employees' view of senior leadership dropped 9.2 points, the report says, putting it in the bottom half of the responses to those specific questions. The views on the effectiveness of leadership dropped 2.1 points.

Secretary of State Rex Tillerson, the former chief executive of oil giant Exxon Mobil Corp., has taken heat for his management style. Critics say he has been sequestering decisions to a small inner circle of advisers even as he proposes to make cuts to the department's budget and push out nearly 2,000 diplomats and civil servants.

The State Department's scores did improve in the areas of teamwork, the matchup of employee skill sets to the mission of the agency, teamwork between workers, commitment to diversity and rewarding employees for coming up with innovative solutions. Other scores, like pay and employee training and development, decreased slightly.

"When comparing the government to the private sector, we must see greater progress," Stier said in a statement.

"Federal leaders should understand that the government competes with the private sector for the best talent, and the government should endeavor to meet or exceed employee engagement levels seen in the best private sector companies."

In the private sector, the average employee engagement score for employees this year is 77.8 out of 100, according to data provided by employee research firm Mercer | Sirota.

The highest-ranked mid-size government agency was the Federal Energy Regulatory Commission, which scored 82.9 points, a 3.9-point increase over the previous year.

The Securities and Exchange Commission, Consumer Financial Protection Bureau, U.S. Agency for International Development (USAID), Small Business Administration (SBA) and General Services Administration each boosted its scores by at least 4 points, with USAID jumping 6.8 points and SBA — which still ranked second to last, at No. 24 — improved by an overall 7.3 points.

The score for employees at the Broadcasting Board of Governors, No. 25, averaged the lowest score among mid-sized agencies — at 50.8 — though the number increased 2.8 points over last year.

The Environmental Protection Agency (EPA) ranked No. 18 in terms of mid-size agency employee satisfaction, with its score dropping almost 1 point. The satisfaction of employees at some of the regional and sub-offices remained mixed, with some dropping dramatically and others increasing as much as 2.9 points. The Office of Air and Radiation at EPA ranked 113 out of the 150 sub-components surveyed, dropping 7.3 points.

The largest decrease among mid-size agencies, though, came from the National Credit Union Administration. Its overall score was 69, a 2.9-point slump.

The Overseas Private Investment Corporation ranked No. 1 among employees at small agencies surveyed, with 79.9 points, but decreased its overall score by 4.9 points.

The OMB, which is responsible for coming up with the administration's federal budget proposal and reviewing regulations, saw its employee engagement drop by 7.3 points to 75.4 but maintained its spot at No. 2.

The Millennium Challenge Corporation, an independent bilateral foreign aid agency, improved its scores the most, increasing by 13.8 points to 73.8. The Commodity Futures Trading Commission ranked last in the bunch, with a score of 58.6 points.

 There were 150 components within agencies surveyed by the OPM, and the Office of Inspector General for the Tennessee Valley Authority, a federally owned corporation, scored at the top, with 92.1. The Secret Service, part of DHS, ranked at the bottom, with an overall score of 33 out of 100.

Employees at the FBI reported a 2.1-point decrease. President Trump fired former FBI Director James Comey on May 9, a date that occurred during the survey process.

The Justice Department's Environment and Natural Resources Division, Federal Bureau of Prisons, and the EPA's Office of Enforcement and Compliance Assurance and Office of Water each saw scores drop more than 5 points.

The largest increase occurred within Immigration and Customs Enforcement (ICE), also under the DHS umbrella, which saw employee engagement increase by 11.5 points. The agency has attracted criticism for how aggressive it has been in immigration enforcement.

A new report from the agency show that ICE arrests increased 40 percent over the year prior to Trump taking office. After Trump became president, deportations of people arrested away from the border increased 37 percent over the previous year.

Liz Bowman

U.S. Environmental Protection Agency (EPA)

Office: 202-564-3293

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

**Sent**: 6/12/2017 7:00:39 PM

To: Jahan Wilcox (wilcox.jahan@epa.gov) [wilcox.jahan@epa.gov]

Subject: FW: 1PM Embargo: EPN Budget Analysis for Today's Press Call

Is this what you responded to?

From: Elvina Nawaguna [mailto:ElvinaNawaguna@cqrollcall.com]

Sent: Monday, June 12, 2017 2:49 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: 1PM Embargo: EPN Budget Analysis for Today's Press Call

Hi Liz,

Would you call me if/when you have a minute?

Elvina Nawaguna
Energy and Environment Reporter
CQ Roll Call
1625 Eye St. NW #200
Washington, DC 20006
Cell: Ex. 6 Personal Privacy (PP)

Desk: 202-650-6597



From: Elvina Nawaguna

**Sent:** Monday, June 12, 2017 2:28 PM

To: Press; Bowman, Liz

Subject: FW: 1PM Embargo: EPN Budget Analysis for Today's Press Call

Hi Liz,

Any chance I'd get a response from Admin. Pruitt or his office on some of the criticisms in this report by former EPA officials on the budget request? I'm working on a deadline of 3:30 p.m. thanks.

Elvina Nawaguna
Energy and Environment Reporter
CQ Roll Call
1625 Eye St. NW #200
Washington, DC 20006
Cell: Ex 6 Personal Privacy (PP)

Cell: Ex. 6 Personal Privacy (PP) Desk: 202-650-6597



**From:** Liz Purchia Gannon [mailto:liz@riffcitystrategies.com]

**Sent:** Monday, June 12, 2017 12:00 PM

To: Liz Purchia Gannon

Subject: 1PM Embargo: EPN Budget Analysis for Today's Press Call

Under embargo until 1PM ET, attached is the budget analysis created by the Environmental Protection Network that is being released today and will be discussed on the call at 1PM.

EPN is a newly formed bipartisan network of scientists, lawyers, economists, engineers and policy experts who carried out the day to day functions at EPA over many years and numerous administrations that moved our country toward cleaner air and water, cleaned up contaminated sites and started the progress toward greenhouse gas reductions.

Unfortunately, EPN does not have a website at this time to provide a web link. The participants can speak more about the future of EPN.



On Mon, Jun 12, 2017 at 8:52 AM Liz Purchia Gannon < liz@riffcitystrategies.com > wrote:

In advance of EPA Administrator Scott Pruitt's budget hearing on Thursday, the Environmental Protection Network, a bi-partisan network of former EPA employees and related federal and state agencies, will host a press call at 1PM today to release the findings of their budget analysis.

The budget analysis will be shared at 12PM

# Former EPA Staff Host Press Call to Release FY18 Budget Analysis in Advance of Administrator Pruitt's Senate Hearing

(Washington, D.C)-- Monday, June 12, three days before Environmental Protection Agency (EPA) Administrator Scott Pruitt's Senate Hearing on the FY18 EPA budget, the co-founders and board members of the Environmental Protection Network, a bi-partisan network of former EPA employees and related federal and state agencies, will host a press call to release the findings of their budget analysis. Their analysis highlights how deep cuts to the EPA will devastate the health and well-being of American families and children. The speakers will call for more robust EPA funding so it can address ongoing and future challenges and meet the responsibilities Congress gave it over many years.

Trump's budget proposes a 31 percent cut to the EPA, but the real cuts are in the range of 42% after accounting for level funding of two large water infrastructure grant programs. This undermines vital programs that clean up contaminated sites and have over the years cleaned America's air and water. Trump's budget dis-empowers the agency and disables it from doing it's job, putting families at increased risk from toxic air pollution, lead in drinking water and smog associated with cancer and asthma attacks.

What: Press call featuring the co-founders and board members of the Environmental Protection Network to discuss the findings of their budget analysis document

When: Monday June 12, 2017 at 1:00pm ET

Who:

- George Wyeth, former EPA attorney who was at the agency for 27 years, holding positions in the General Counsel's office, the Policy Office and the Enforcement Office.
- Ruth Greenspan Bell, former EPA Assistant General Counsel for Toxics and Water, more recently working on climate policy in Washington. DC think-tanks.
- Caroline Isber, co-founder and member of the Board of EPN, former staffer at EPA, the White House Council on Environmental Quality, NOAA, HHS and NIH

	Sally Ericsson, former Associate Director for Natural Resources, Energy and Science at OMB and
	former Associate Director for Natural Resources at the White House Council on Environmental Quality
Dial-ir	Ex. 6 Personal Privacy (PP)

Pin: [ | Le Ferrous Prince (PP) ]
Reporters should dial in 5-10 minutes before the beginning of the call.

###

Liz Purchia Gannon

<u>Riff City Strategies</u> I San Francisco + Des Moines

<u>Ex. 6 Personal Privacy (PP)</u> cell

<u>@LizPurchia</u>

Liz Purchia Gannon
Riff City Strategies I San Francisco + Des Moines
Ex. 6 Personal Privacy (PP) cell
@LizPurchia

This e-mail may contain confidential material. If you are not an intended recipient, please notify the sender and delete all copies. It may also contain personal views which are not the views of CQ Roll Call or its owner, The Economist Group. We may monitor e-mail to and from our network. For company information go to <a href="http://legal.economistgroup.com">http://legal.economistgroup.com</a>.

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]

**Sent**: 5/23/2017 7:46:33 PM

To: Dravis, Samantha [dravis.samantha@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]

**CC**: Greenwalt, Sarah [greenwalt.sarah@epa.gov]

Subject: RE: Speech Writing

We need to talk in person; I will be down there shortly.

From: Dravis, Samantha

Sent: Tuesday, May 23, 2017 3:45 PM

To: Bowman, Liz <Bowman.Liz@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>

Cc: Greenwalt, Sarah <greenwalt.sarah@epa.gov>

Subject: RE: Speech Writing

Do you guys want to come down really quick? Or just call me. Sorry to make you walk.. it will literally take 5 mins.

From: Bowman, Liz

Sent: Tuesday, May 23, 2017 3:44 PM

To: Dravis, Samantha < dravis.samantha@epa.gov>; Ferguson, Lincoln < ferguson.lincoln@epa.gov>

Cc: Greenwalt, Sarah <greenwalt.sarah@epa.gov>

Subject: RE: Speech Writing

I can meet if it works for Sarah.

From: Dravis, Samantha

**Sent:** Tuesday, May 23, 2017 3:44 PM

To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>

Cc: Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: RE: Speech Writing

Ok well - Liz and Sarah do you want to rendezvous really quick? I think it would be good - just for like 5-10 mins

From: Ferguson, Lincoln

**Sent:** Tuesday, May 23, 2017 3:39 PM

To: Dravis, Samantha < dravis.samantha@epa.gov>

Cc: Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>

Subject: Re: Speech Writing

I'm with SP. we leave for his speech in 30 mins.

Sent from my iPhone

On May 23, 2017, at 3:35 PM, Dravis, Samantha <a href="mailto:samantha@epa.gov">dravis.samantha@epa.gov</a> wrote:

I am walking back into the building now. I am available if you guys are, it's up to everyone else if you guys want to reschedule or do this now. Sorry for the trouble.

Sent from my iPhone

On May 23, 2017, at 3:31 PM, Dravis, Samantha <a href="mailto:samantha@epa.gov">dravis.samantha@epa.gov</a>> wrote:

I'm on my way back. Do we really need to reschedule? We can knock this out really quick

Sent from my iPhone

On May 23, 2017, at 3:28 PM, Greenwalt, Sarah <a href="mailto:sgreenwalt.sarah@epa.gov">greenwalt.sarah@epa.gov</a> wrote:

Sam, we rescheduled for tomorrow at 4:30. I think Robin proposed that

#### Sarah A. Greenwalt

Senior Advisor to the Administrator for Water and Cross-Cutting Issues

U.S. Environmental Protection Agency
Work: 202-564-1722 | Cell: Ex. 6 Personal Privacy (PP)
Greenwalt.Sarah@epa.gov

From: Dravis, Samantha

**Sent:** Tuesday, May 23, 2017 3:24 PM

To: Greenwalt, Sarah < greenwalt.sarah@epa.gov>

**Cc:** Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Bowman, Liz

<<u>Bowman.Liz@epa.gov</u>> **Subject:** Re: Speech Writing

Guys I am not in the office right now I will be back as soon as I can probably in about 15 minutes

Sent from my iPhone

On May 23, 2017, at 12:16 PM, Greenwalt, Sarah <greenwalt.sarah@epa.gov> wrote:

3:30 would work well.

#### Sarah A. Greenwalt

Senior Advisor to the Administrator for Water and Cross-Cutting Issues

U.S. Environmental Protection Agency
Work: 202-564-1722 | Cell: Ex. 6 Personal Privacy (PP)
Greenwalt.Sarah@epa.gov

From: Ferguson, Lincoln

Sent: Tuesday, May 23, 2017 11:01 AM

**To:** Bowman, Liz <<u>Bowman, Liz@epa,gov</u>>; Greenwalt, Sarah <<u>greenwalt.sarah@epa,gov</u>>; Dravis, Samantha

<a href="mailto:dravis.samantha@epa.gov">dravis.samantha@epa.gov</a></a> **Subject:** RE: Speech Writing

Need to do before 4:30 as Ryan and I will be going to the Steel speech.

Can we shoot for 3 or 3:30?

From: Bowman, Liz

Sent: Tuesday, May 23, 2017 10:04 AM

**To:** Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Dravis,

Samantha <dravis.samantha@epa.gov>

Subject: Speech Writing

Administrator Pruitt has asked that the four of us sit with RJ today to discuss the speech writing for an event at the WH next week with POTUS. He said you all have the talking points he wants us to convey and he wants us to keep it a very very close hold.

Let me know when you all have time. The only time that really doesn't work for me is 130

Liz Bowman U.S. Environmental Protection Agency (EPA) Deputy Associate Administrator for Public Affairs Office: 202-564-3293

From: Bowman, Liz [Bowman.Liz@epa.gov]

**Sent**: 6/22/2017 11:35:20 AM

**To**: Jennifer A. Dlouhy [jdlouhy1@bloomberg.net]

**Subject**: Re: TSCA Press Release

10am embargo...will fwd rules now... we can put you on the phone w Nancy before 10, if you want.

Sent from my iPhone

On Jun 22, 2017, at 7:21 AM, Jennifer A. Dlouhy (BLOOMBERG/ WASHINGTO) <idlouhy1@bloomberg.net> wrote:

Definitely interested in writing this. Does the 2 pm embargo still hold? And would it be possible to see the embargoed guidance and rules?

I imagine the guidance may make this clear, but if there is more background on how these are more workable and how the definitions help add clarity and efficiency to the process, that would be much appreciated.

Thanks! Jen.

---- Original Message -----

From: Liz Bowman < Bowman.Liz@epa.gov>

To: JENNIFER A. DLOUHY At: 21-Jun-2017 12:02:06

Hi Jennifer – As discussed, attached, please find the draft, embargoed press release that we will be sending out tomorrow afternoon, around 2 p.m. If this is something you are interested in writing a short piece on, please let us know. We will also be working with the chemical reporter at BNA to provide them details of the rules (in the weeds on the specifics)... but thought you might be interested in the higher level information, with regard to how these new regulations coming out tomorrow provide safety reviews for chemicals in commerce that are sensible and workable for businesses. And, how they help provide more information to consumers and retailers. These regs have been updated from the drafts released last December by the previous administration. These are more transparent, define the scientific terms that weren't defined in the drafts, and focus only on the chemical uses that present the most risk to human health/environment (rather than chasing down every molecule). Thanks for your consideration – Liz

DRAFT - DRAFT - DRAFT

# EPA Marks Chemical Safety Milestone on First Anniversary of Frank R. Lautenberg Chemical Safety for the 21<sup>st</sup> Century Act

Agency meeting statutory responsibilities and deadlines

**WASHINGTON** – (June 22, 2017) Today, on the one-year anniversary of the *Frank R. Lautenberg Chemical Safety for the 21st Century Act*, Administrator Scott Pruitt announced that EPA has met its first-year statutory responsibilities under the law. This includes issuing three new rules, providing a guidance document for external parties, and releasing the scoping documents for the first 10 risk evaluations that will be conducted.

"The activities we are announcing today demonstrate this Administration's commitment to providing regulatory certainty to American businesses, while protecting human health and the environment," **said Administrator Pruitt**. "The new process for evaluating existing chemicals outlined in these rules will increase public confidence in chemical safety without stifling innovation."

The *Act* amends the nation's primary chemicals management law known as the *Toxic Substances Control Act (TSCA)*. The legislation received bipartisan support in the U.S. House of Representatives and the Senate, and provides significant new responsibilities and authorities to EPA to advance chemical safety.

EPA has completed the following implementation activities at this one-year anniversary:

<!--[if !supportLists]-->• <!--[endif]-->Finalized a rule to establish EPA's process and criteria for identifying high priority chemicals for risk evaluation and low priority chemicals for which risk evaluation is not needed. In response to public comments, this final rule affirms EPA's commitment to following the best available science, engaging stakeholders in the prioritization process, and recognizing the value of designating chemicals as low priority when appropriate. [Link to final rule]

This past year has been marked by many EPA accomplishments to implement the amended law. More information on EPA's progress to date and a full list of all the TSCA implementation activities can be found here: <a href="https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/frank-r-lautenberg-chemical-safety-21st-century-act-5">https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/frank-r-lautenberg-chemical-safety-21st-century-act-5</a>

#### Appointment

From: Richardson, RobinH [Richardson.RobinH@epa.gov]

**Sent**: 12/19/2018 7:58:37 PM

To: Richardson, RobinH [Richardson.RobinH@epa.gov]; Lyons, Troy [lyons.troy@epa.gov]; Nitsch, Chad

[Nitsch.Chad@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Drinkard, Andrea [Drinkard.Andrea@epa.gov]; Dennis, Allison [Dennis.Allison@epa.gov]; Klasen, Matthew

[Klasen.Matthew@epa.gov]; Bowles, Jack [Bowles.Jack@epa.gov]; Palich, Christian [palich.christian@epa.gov];

Ringel, Aaron [ringel.aaron@epa.gov]; Frye, Tony (Robert) [frye.robert@epa.gov]; Rodrick, Christian

[rodrick.christian@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]; Konkus, John [konkus.john@epa.gov]

CC: Hannon, Arnita [Hannon.Arnita@epa.gov]; White, Terri-A [White.Terri-A@epa.gov]

**Subject**: Baltimore Planning

Location: WJC-N 3428

**Start**: 1/3/2019 6:00:00 PM **End**: 1/3/2019 6:30:00 PM

Show Time As: Busy

Hi everyone – This is time for us to begin planning for the Baltimore WIFIA event. Please add others as appropriate. Thank you! Robin

-----

Team— (from Troy)

We have locked in **10:00 AM** on **Monday, January 28** to hold the WIFIA signing ceremony in Baltimore with Senator Cardin. There is a lot of external stakeholder engagement so we need to all coordinate to ensure this is a successful event. I suggest we have representatives from OCIR, OW, OPEE, and OPA meet in short order to discuss the planning and execution of the event.

#### **Topics of Discussion**

- 1. Logistics
  - a. Location
  - b. Run of Show
- 2. Invitees
  - a. Participants
- 3. Press Strategy

From: Bowles, Jack [Bowles.Jack@epa.gov]

**Sent**: 4/24/2019 2:04:43 PM

To: Richardson, RobinH [Richardson.RobinH@epa.gov]; Carter, Brittany S. [carter.brittanys@epa.gov]; Grantham, Nancy

[Grantham.Nancy@epa.gov]; Garvey, Megan [garvey.megan@epa.gov]; RCL's

[CNRCLsOIntergov.\_Contacts@epa.gov]

CC: Hanson, Andrew [Hanson.Andrew@epa.gov]; Barbery, Andrea [Barbery.Andrea@epa.gov]; Cook-Shyovitz, Becky

[Cook-Shyovitz.Becky@epa.gov]; Hannon, Arnita [Hannon.Arnita@epa.gov]; Eargle, Frances

[Eargle.Frances@epa.gov]; Spraul, Greg [Spraul.Greg@epa.gov]; Kramer, Jessica L. [kramer.jessical@epa.gov];

Goodin, John [Goodin.John@epa.gov]; Dennis, Allison [Dennis.Allison@epa.gov]

Subject: E.O. 13132 (Federalism) Consultation: CWA Section 401 Certification - Guidance Development and Rulemaking

Attachments: FINAL CWA 401 Big10\_04\_19\_19.pptx

#### Good Morning -

Attached are the CWA 401 PPT slides from yesterday's federalism consultation with representatives of intergovernmental associations. The slides can be shared externally with states/locals. Later today we will send an email (that you can use for your amplification) to associations and states/locals (gov offices, env. commissioners, intergov associations) with a link to the administrative docket where state, local, and tribal officials can submit comments during the next 30 days. To underscore, this pre-proposal docket is for state/local/tribal government officials only.

Thank you in advance for your assistance in getting the word out about this federalism consultation and the opportunity to comment. Let me know if you have any questions.

Best Regards,

Jack Bowles

Director of State & Local Relations
U.S. Environmental Protection Agency
202-564-3657 (office) | Ex. 6 Personal Privacy (PP) (mobile)

From: Goodin, John

Sent: Monday, April 22, 2019 6:08 PM

**To:** Hanson, Andrew <Hanson.Andrew@epa.gov>; McDavit, Michael W. <Mcdavit.Michael@epa.gov> **Cc:** Carter, Brittany S. <carter.brittanys@epa.gov>; Bowles, Jack <Bowles.Jack@epa.gov>; Hannon, Arnita

<Hannon.Arnita@epa.gov>; Kramer, Jessica L. <kramer.jessical@epa.gov>; Frazer, Brian <Frazer.Brian@epa.gov>; Eisenberg, Mindy <a href="mailto:Eisenberg">Eisenberg</a>, Min

<wildeman.anna@epa.gov>

Subject: RE: E.O. 13132 (Federalism) Consultation: CWA Section 401 -- BRING HARD COPIES

Here you go—thanks.

From: Hanson, Andrew

Sent: Monday, April 22, 2019 5:58 PM

To: Goodin, John <Goodin.John@epa.gov>; McDavit, Michael W. <Mcdavit.Michael@epa.gov>

**Cc:** Carter, Brittany S. <<u>carter.brittanys@epa.gov</u>>; Bowles, Jack <<u>Bowles.Jack@epa.gov</u>>; Hannon, Arnita

< Hannon. Arnita@epa.gov>; Kramer, Jessica L. < kramer.jessical@epa.gov>; Frazer, Brian < Frazer. Brian@epa.gov>;

Eisenberg, Mindy <<u>Eisenberg.Mindy@epa.gov</u>>; Kasparek, Lauren <<u>kasparek.lauren@epa.gov</u>>; Wildeman, Anna <wildeman.anna@epa.gov>

Subject: RE: E.O. 13132 (Federalism) Consultation: CWA Section 401 -- BRING HARD COPIES

Yep, will keep close hold. That said, can we get a copy of the PPT too? My plan is to send it out to the association folks immediately following the briefing. They, in turn, will disseminate it to their members.

I spoke with Britt and she's fine with the way you've laid it out. Anna can hand it to her for a brief welcome and the round of intros in the room & phone, then Britt will hand it over to you.

From: Goodin, John

Sent: Monday, April 22, 2019 5:39 PM

To: Hanson, Andrew < Hanson. Andrew@epa.gov >; McDavit, Michael W. < Mcdavit. Michael@epa.gov >
Cc: Carter, Brittany S. < Carter. brittanys@epa.gov >; Bowles, Jack < Bowles. Jack@epa.gov >; Hannon, Arnita
< Hannon. Arnita@epa.gov >; Kramer, Jessica L. < kramer.jessical@epa.gov >; Frazer, Brian < Frazer. Brian@epa.gov >; Eisenberg, Mindy < Eisenberg. Mindy@epa.gov >; Kasparek, Lauren < kasparek. lauren@epa.gov >; Wildeman, Anna < wildeman.anna@epa.gov >

Subject: RE: E.O. 13132 (Federalism) Consultation: CWA Section 401 -- BRING HARD COPIES

Thanks, Andrew—that sounds fine. Our run of show (attached) is primarily focused on the TPs for the PPT slides (essentially identical to our state/tribal webinar) and includes opening remarks by Anna. We have not drafted anything for OCIR, though the ROS notes that you will provide the first welcome. Note that the ROS is an internal document, as opposed to the PPT.

Thanks for your help!

John

From: Hanson, Andrew

**Sent:** Monday, April 22, 2019 4:22 PM

To: McDavit, Michael W. < Mcdavit. Michael@epa.gov>

Cc: Goodin, John < Goodin. John@epa.gov >; Carter, Brittany S. < carter. brittanys@epa.gov >; Bowles, Jack

<Bowles.Jack@epa.gov>; Hannon, Arnita < Hannon.Arnita@epa.gov>

Subject: RE: E.O. 13132 (Federalism) Consultation: CWA Section 401 -- BRING HARD COPIES

Do you guys have a "run of show" for tomorrow? Either Britt C or Jack B will be our ranking, and will offer a brief "welcome" and start a quick round of introductions in the room/on the phone before handing it over to your designee. Does that work for you guys?

From: McDavit, Michael W.

Sent: Monday, April 22, 2019 2:21 PM

To: Hanson, Andrew < Hanson. Andrew@epa.gov>

Subject: RE: E.O. 13132 (Federalism) Consultation: CWA Section 401 -- BRING HARD COPIES

Thank you sir.

From: Hanson, Andrew

Sent: Monday, April 22, 2019 2:18 PM

To: McDavit, Michael W. < <a href="Mcdavit.Michael@epa.gov">McDavit, Michael@epa.gov</a>>

Cc: Frazer, Brian < Frazer, Brian@epa.gov>; Goodin, John < Goodin, John@epa.gov>; Kasparek, Lauren

<a href="mailto:kasparek.lauren@epa.gov">kasparek.lauren@epa.gov</a>; Hanson, Andrew <a href="mailto:Hanson.Andrew@epa.gov">Hanson, Andrew@epa.gov</a>>

Subject: RE: E.O. 13132 (Federalism) Consultation: CWA Section 401 -- BRING HARD COPIES

Last minute, comparatively, hence smaller turnout. (even some of the "confirms" have conflicts)

Alex Schaefer - National Governors Association

Adam Krantz - Nat'l Assoc. of Clean Water Agencies

Judy Sheahan – U.S. Conference of Mayors

Kristen Hildreth - Nat'l Conference of State Legislatures

Don Welsh - Environmental Council of the States

Layne Piper – Environmental Council of the States

Sean Rolland – Assoc. of Clean Water Administrators

Carolyn Bendt - Nat'l League of Cities

Austin Ingleheart - Nat'l Assoc. of Counties

Andy Karellas - Council of State Governments

Kristi More – Nat'l Assoc. of Towns and Townships (Ferguson)

Roger Gwinn – Nat'l Assoc. of Towns and Townships (Ferguson)

#### **PHONE ONLY**

Jonathan Shuffield - Nat'l Assoc. of Counties

Edgar Ruiz - Council of State Govts

Tony Willardson – Western States Water Council

Ward Scott - Western Governors Association

Chris Kearney – Nat'l Assoc of Towns and Townships (Ferguson)

Marla Stelk - Assoc. of State Wetland Managers

Brenda Zolllitsch – Assoc of State Wetland Managers

Ben Husch - Nat'l Conference of State Legislatures

From: McDavit, Michael W.

Sent: Monday, April 22, 2019 2:00 PM

To: Hanson, Andrew < Hanson. Andrew@epa.gov>

Subject: RE: E.O. 13132 (Federalism) Consultation: CWA Section 401 -- BRING HARD COPIES

Jess Kramer is pinging me for info. Could you at least send the invitation list with name and affiliation?

From: Hanson, Andrew

Sent: Monday, April 22, 2019 1:58 PM

To: McDavit, Michael W. < Mcdavit. Michael@epa.gov>

Subject: RE: E.O. 13132 (Federalism) Consultation: CWA Section 401 -- BRING HARD COPIES

Will give it til about 4:00 p.m. and then send.

From: McDavit, Michael W.

Sent: Monday, April 22, 2019 1:56 PM

To: Hanson, Andrew < Hanson. Andrew@epa.gov>

Subject: RE: E.O. 13132 (Federalism) Consultation: CWA Section 401 -- BRING HARD COPIES

Ok. Do you have the list of attendees yet?

From: Hanson, Andrew

Sent: Monday, April 22, 2019 1:41 PM
To: Frazer, Brian < Frazer. Brian@epa.gov>

Cc: Hannon, Arnita < Hannon. Arnita@epa.gov>; Kasparek, Lauren < kasparek. lauren@epa.gov>; Goodin, John

<Goodin.John@epa.gov>; McDavit, Michael W. <Mcdavit.Michael@epa.gov>

Subject: RE: E.O. 13132 (Federalism) Consultation: CWA Section 401 -- BRING HARD COPIES

Guys -

At this point, with our sole "volume" copier having now "tanked" until someone wearing a uniform can resuscitate it, please plan to bring 20 copies of the final slide presentation with you.

Thank you!

From: Frazer, Brian

Sent: Thursday, April 18, 2019 5:53 PM

To: Hanson, Andrew < Hanson. Andrew@epa.gov >

Cc: Hannon, Arnita < Hannon. Arnita@epa.gov>; Kasparek, Lauren < kasparek. lauren@epa.gov>; Goodin, John

<Goodin.John@epa.gov>

Subject: Re: E.O. 13132 (Federalism) Consultation: CWA Section 401

Will do.

\*\*\*\*\*\*\*\*\*\*\*\*\*

Brian Frazer, Acting Director Oceans, Wetlands and Communities Division Office of Wetlands, Oceans and Watersheds US Environmental Protection Agency 202-566-1652

Sent from my iPhone

On Apr 18, 2019, at 5:44 PM, Hanson, Andrew < Hanson. Andrew@epa.gov > wrote:

Thanks Brian. If you can, please insert an address or link to the "portal/docket" to which these groups' members can send their pre-proposal comments. By my count, 30 days takes us to May 24....also helpful to add to the document.

Sent from my iPhone

On Apr 18, 2019, at 5:33 PM, Frazer, Brian < Frazer, Brian@epa.gov > wrote:

Thanks, Andrew. We'll get the slides to you as shortly.

bf

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

Brian Frazer, Acting Director Oceans, Wetlands and Communities Division Office of Wetlands, Oceans and Watersheds US Environmental Protection Agency 202-566-1652

Sent from my iPhone

On Apr 18, 2019, at 5:29 PM, Hanson, Andrew < Hanson. Andrew@epa.gov> wrote:

Hi Arni

When you have a sec, can you forward your INTERNAL Federalism briefing invite to Brian Frazer, Lauren Kasparek, Jessical Kramer and Anna Wilderman? That's the one you used to reserve the room.

Brian,

Please be advised that 7530 is not a high-capacity conference room, and that we've asked each assiciation to send to no more than one rep. If you could let OW staff know that as well, that would be helpful.

Also, per yesterday's request, please forward the slide presentation so that we can provide paper copies to the attendees.

Thank you!

Sent from my iPhone

On Apr 18, 2019, at 4:23 PM, Frazer, Brian < Frazer.Brian@epa.gov > wrote:

Are we set to Ex. 5 Deliberative Process (DP)

If so, can you make sure Anna Wilderman and Jessica Kramer are invited.

Thanks.

From: Hanson, Andrew

**Sent:** Tuesday, April 16, 2019 9:47 AM **To:** Frazer, Brian < Frazer, Brian@epa.gov>

Cc: McDavit, Michael W. < Mcdavit. Michael@epa.gov >;

Kramer, Jessica L. <<u>kramer.jessical@epa.gov</u>> **Subject:** FW: E.O. 13132 (Federalism) Consultation:

CWA Section 401

Hi Brian - Sorry for the mis-send.

From: Hanson, Andrew

**Sent:** Tuesday, April 16, 2019 9:45 AM

To: Goodin, John < Goodin. John@epa.gov >; McDavit,

Michael W. < <a href="Mcdavit.Michael@epa.gov">Mcdavit.Michael@epa.gov">Mcdavit.Michael@epa.gov</a>; fraser.brian@epa.gov; Kramer, Jessica L.

<<u>kramer.jessical@epa.gov</u>>

Cc: Jack Bowles < Bowles. Jack@epa.gov>

Subject: E.O. 13132 (Federalism) Consultation: CWA

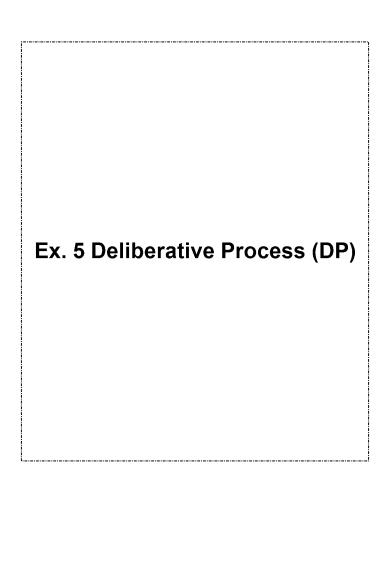
Section 401

Hi John, Jessica, Mike and Brian -

Immediately below is the invitation/notice that I will attach to a scheduler to send to the Big 10/intergovernmental groups today. Please review at your earliest convenience so we can send it out as soon as possible. If there is a backgrounder you'd like me to attach, please forward it as well. Otherwise, what we have below is what we'll go with.

Thank you.

### Ex. 5 Deliberative Process (DP)



From: Abboud, Michael [abboud.michael@epa.gov]

**Sent**: 7/12/2019 4:12:58 PM

To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]

Subject: RE: EPA Registers Long-Term Uses of Sulfoxaflor While Ensuring Strong Pollinator Protection - Preview

Yes.

From: Drinkard, Andrea

Sent: Friday, July 12, 2019 12:12 PM

To: Abboud, Michael <abboud.michael@epa.gov>

Subject: FW: EPA Registers Long-Term Uses of Sulfoxaflor While Ensuring Strong Pollinator Protection - Preview

Can you delete the "a" before Ex. 5 Deliberative Process (DP)

From: Nitsch, Chad

Sent: Friday, July 12, 2019 12:08 PM

To: Drinkard, Andrea < Drinkard. Andrea@epa.gov>

Subject: FW: EPA Registers Long-Term Uses of Sulfoxaflor While Ensuring Strong Pollinator Protection - Preview

FYI, typo Sulfoxaflor press release.

Chad Nitsch

Director, Office of Public Affairs

US Environmental Protection Agency - Region 3 (Mid-Atlantic: WV, VA, PA, MD, DE, DC)

215-814-5434

From: Shenk, Kelly

Sent: Friday, July 12, 2019 12:07 PM
To: Nitsch, Chad < Nitsch.Chad@epa.gov >
Cc: White, Terri-A < White.Terri-A@epa.gov >

Subject: RE: EPA Registers Long-Term Uses of Sulfoxaflor While Ensuring Strong Pollinator Protection - Preview

## There is a typo ...

### Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Kelly Shenk

Agriculture Advisor

EPA Region III Water Division

shenk.kelly@epa.gov

410.267.5728

Mailing Address:

EPA Chesapeake Bay Program Office

410 Severn Avenue, Suite 112

Annapolis, MD 21403

From: Nitsch, Chad

Sent: Friday, July 12, 2019 11:44 AM

To: Shenk, Kelly <shenk.kelly@epa.gov>
Cc: White, Terri-A <White.Terri-A@epa.gov>

Subject: FW: EPA Registers Long-Term Uses of Sulfoxaflor While Ensuring Strong Pollinator Protection - Preview

Kelly,

Please distribute this to your contacts.

Thank you,

Chad Nitsch

Director, Office of Public Affairs

US Environmental Protection Agency - Region 3 (Mid-Atlantic: WV, VA, PA, MD, DE, DC)

215-814-5434

From: Drinkard, Andrea

Sent: Friday, July 12, 2019 11:33 AM

To: Regional Public Affairs Directors < Regional Public Affairs Directors@epa.gov>

Subject: FW: EPA Registers Long-Term Uses of Sulfoxaflor While Ensuring Strong Pollinator Protection - Preview

FYI...This will go out at 12:30, please pitch and work with your ag advisors to make sure that the release gets to their contacts as soon as it goes out. Thanks.

From: Abboud, Michael

Sent: Friday, July 12, 2019 11:01 AM

To: Drinkard, Andrea < Drinkard. Andrea@epa.gov>; Daguillard, Robert < Daguillard. Robert@epa.gov>; Grantham, Nancy

<<u>Grantham.Nancy@epa.gov</u>>; Bennett, Tate <<u>Bennett.Tate@epa.gov</u>>; Beach, Christopher

<beach.christopher@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Schiermeyer, Corry

<schiermeyer.corry@epa.gov>

Subject: FW: EPA Registers Long-Term Uses of Sulfoxaflor While Ensuring Strong Pollinator Protection - Preview

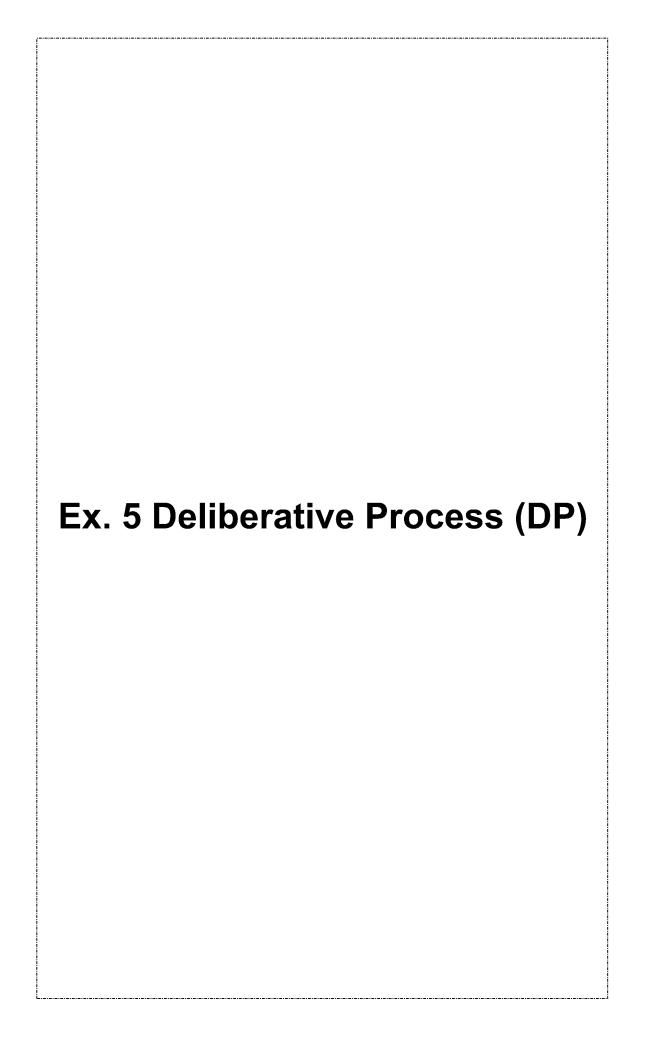
Will start sending around under embargo until 12:30.

From: EPA Press Office ress@epa.gov
Sent: Friday, July 12, 2019 11:00 AM

To: Abboud, Michael <abboud.michael@epa.gov>

Subject: EPA Registers Long-Term Uses of Sulfoxaflor While Ensuring Strong Pollinator Protection - Preview

# Ex. 5 Deliberative Process (DP)



## Visit The BPA's









U.S. Environmental Protection Agency 1200 Pennsylvania Avenue Northwest Washington, D.C. 20004



Unsubscribe

From: Nitsch, Chad [Nitsch.Chad@epa.gov]

**Sent**: 7/12/2019 4:08:07 PM

To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]

Subject: FW: EPA Registers Long-Term Uses of Sulfoxaflor While Ensuring Strong Pollinator Protection - Preview

FYI, typo Sulfoxaflor press release.

Chad Nitsch

Director, Office of Public Affairs

US Environmental Protection Agency - Region 3 (Mid-Atlantic: WV, VA, PA, MD, DE, DC)

215-814-5434

From: Shenk, Kelly

Sent: Friday, July 12, 2019 12:07 PM

To: Nitsch, Chad <Nitsch.Chad@epa.gov>
Cc: White, Terri-A <White.Terri-A@epa.gov>

Subject: RE: EPA Registers Long-Term Uses of Sulfoxaflor While Ensuring Strong Pollinator Protection - Preview

There is a typo ... Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Kelly Shenk

Agriculture Advisor EPA Region III Water Division

shenk.kelly@epa.gov

410.267.5728

Mailing Address:

EPA Chesapeake Bay Program Office 410 Severn Avenue, Suite 112

Annapolis, MD 21403

From: Nitsch, Chad

Sent: Friday, July 12, 2019 11:44 AM

To: Shenk, Kelly <shenk.kelly@epa.gov>
Cc: White, Terri-A <White.Terri-A@epa.gov>

Subject: FW: EPA Registers Long-Term Uses of Sulfoxaflor While Ensuring Strong Pollinator Protection - Preview

Kelly,

Please distribute this to your contacts.

Thank you,

Chad Nitsch

Director, Office of Public Affairs

US Environmental Protection Agency - Region 3 (Mid-Atlantic: WV, VA, PA, MD, DE, DC)

215-814-5434

From: Drinkard, Andrea

Sent: Friday, July 12, 2019 11:33 AM

**To:** Regional Public Affairs Directors < Regional Public Affairs Directors@epa.gov>

Subject: FW: EPA Registers Long-Term Uses of Sulfoxaflor While Ensuring Strong Pollinator Protection - Preview

FYI...This will go out at 12:30, please pitch and work with your ag advisors to make sure that the release gets to their contacts as soon as it goes out. Thanks.

From: Abboud, Michael

Sent: Friday, July 12, 2019 11:01 AM

To: Drinkard, Andrea <a href="mailto:Drinkard.Andrea@epa.gov">Drinkard, Andrea@epa.gov</a>; Daguillard, Robert <a href="mailto:Daguillard.Robert@epa.gov">Daguillard, Robert@epa.gov</a>; Grantham, Nancy

<Grantham.Nancy@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Beach, Christopher

<beach.christopher@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Schiermeyer, Corry

<schiermeyer.corry@epa.gov>

Subject: FW: EPA Registers Long-Term Uses of Sulfoxaflor While Ensuring Strong Pollinator Protection - Preview

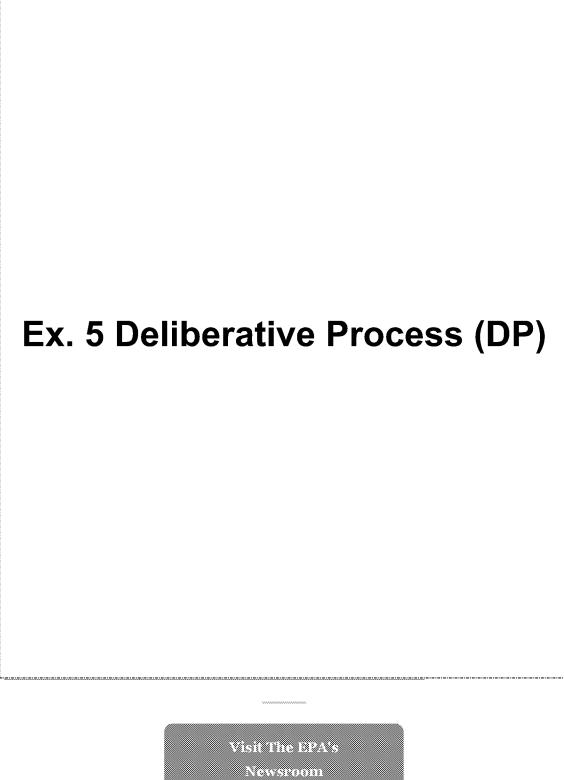
Will start sending around under embargo until 12:30.

From: EPA Press Office cpress@epa.gov
Sent: Friday, July 12, 2019 11:00 AM

To: Abboud, Michael <abboud.michael@epa.gov>

Subject: EPA Registers Long-Term Uses of Sulfoxaflor While Ensuring Strong Pollinator Protection - Preview

# Ex. 5 Deliberative Process (DP)







U.S. Environmental Protection Agency 1200 Pennsylvania Avenue Northwest Washington, D.C. 20004



Unsubscribe

Seife v. EPA (1:19-cv-05190)

From: Grantham, Nancy [Grantham.Nancy@epa.gov]

**Sent**: 7/12/2019 3:12:15 PM

To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]

Subject: RE: EPA Registers Long-Term Uses of Sulfoxaflor While Ensuring Strong Pollinator Protection - Preview

Fine for you to do – ask them to pitch it and work with their ag advisors thanks ng

From: Drinkard, Andrea

Sent: Friday, July 12, 2019 11:05 AM

To: Grantham, Nancy < Grantham. Nancy@epa.gov>

Subject: FW: EPA Registers Long-Term Uses of Sulfoxaflor While Ensuring Strong Pollinator Protection - Preview

Do you want to send this to the regions or would you like me to?

From: Abboud, Michael

Sent: Friday, July 12, 2019 11:01 AM

To: Drinkard, Andrea <a href="mailto:Drinkard.Andrea@epa.gov">Drinkard, Andrea@epa.gov</a>; Daguillard, Robert <a href="mailto:Daguillard.Robert@epa.gov">Daguillard.Robert@epa.gov</a>; Grantham, Nancy

<<u>Grantham.Nancy@epa.gov</u>>; Bennett, Tate <<u>Bennett.Tate@epa.gov</u>>; Beach, Christopher <br/>
<beach.christopher@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Schiermeyer, Corry

<schiermeyer.corry@epa.gov>

Subject: FW: EPA Registers Long-Term Uses of Sulfoxaflor While Ensuring Strong Pollinator Protection - Preview

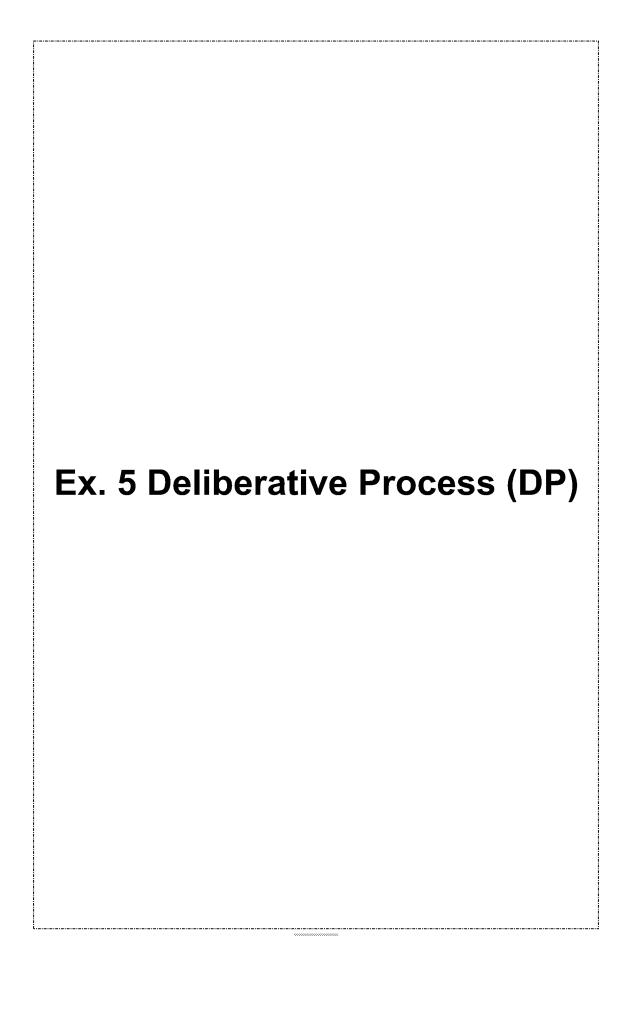
Will start sending around under embargo until 12:30.

From: EPA Press Office ress@epa.gov
Sent: Friday, July 12, 2019 11:00 AM

To: Abboud, Michael <abboud.michael@epa.gov>

Subject: EPA Registers Long-Term Uses of Sulfoxaflor While Ensuring Strong Pollinator Protection - Preview

# Ex. 5 Deliberative Process (DP)



### Visit The EPA's

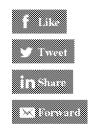








U.S. Environmental Protection Agency 1200 Pennsylvania Avenue Northwest Washington, D.C. 20004



Unsubscribe

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 7/12/2019 2:24:50 PM

To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]

Subject: RE: leader view call

Got it. And should we also forward the news release to the ag reporters list I've now compiled? It's got about 20 names on it.

Cheers, R.

Robert Daguillard
Communications Officer (Detail)
Office of Chemical Safety
and Pollution Prevention
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)

-----

From: Drinkard, Andrea Sent: Friday, July 12, 2019 10:20 AM

Ex. 6 Personal Privacy (PP) (M)

To: Daguillard, Robert < Daguillard. Robert@epa.gov>; Abboud, Michael < abboud.michael@epa.gov>

Subject: RE: leader view call

I think we can have the web live as planned. I don't think that needs to be moved up. They can work from the press release until then. Mike, do you agree?

From: Daguillard, Robert

Sent: Friday, July 12, 2019 10:18 AM

To: Abboud, Michael <abboud.michael@epa.gov>; Drinkard, Andrea <<u>Drinkard.Andrea@epa.gov</u>>

Subject: RE: leader view call

Got it. But we still need to get the web ready. I'll tell the program folks.

Cheers, R.

Robert Daguillard
Communications Officer (Detail)
Office of Chemical Safety
and Pollution Prevention
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Abboud, Michael

Sent: Friday, July 12, 2019 10:17 AM

To: Daguillard, Robert < Daguillard, Robert@epa.gov>; Drinkard, Andrea < Drinkard, Andrea@epa.gov>

Subject: RE: leader view call

It will go to reporters on the call under embargo at 11. The embargo lifts at 12:30.

From: Daguillard, Robert

Sent: Friday, July 12, 2019 10:16 AM

To: Abboud, Michael <abboud.michael@epa.gov>; Drinkard, Andrea <<u>Drinkard.Andrea@epa.gov</u>>

Subject: RE: leader view call

So, to make sure I understand: The release is going out to reporters at 11, not 12:30? But all info is still under embargo until the conclusion of the phone call, correct?

If so, I need to let the program know so they get the web ready.

Cheers, R.

Robert Daguillard
Communications Officer (Detail)
Office of Chemical Safety
and Pollution Prevention
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Abboud, Michael

Sent: Friday, July 12, 2019 9:09 AM

Subject: RE: leader view call

Advisory is out, will start sending dial in info. Will provide an embargoed press release at 11.

From: Daguillard, Robert

Sent: Thursday, July 11, 2019 1:52 PM

To: Drinkard, Andrea < Drinkard. Andrea@epa.gov>; Abboud, Michael < abboud. michael@epa.gov>

Subject: RE: leader view call

Thanks, Andrea. I'll probably be in the room (3156-E) with Alex and the SMEs. From your e-mail, I take it I'll emcee and you'll run LV? I wouldn't mind, actually, as I haven't run a call of this sort before. Let me know either way.

For the call name, how 'bout: **EPA Sulfoxaflor**? Shorter.

Cheers, R.

Robert Daguillard
Communications Officer (Detail)
Office of Chemical Safety
and Pollution Prevention
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Drinkard, Andrea Sent: Thursday, July 11, 2019 1:47 PM To: Abboud, Michael <abboud.michael@epa.gov>; Daguillard, Robert < Daguillard, Robert @epa.gov> Subject: FW: leader view call For the Advisory: Conference ID: Ex. 6 Personal Privacy (PP) Participant Dial In: Ex. 6 Personal Privacy (PP) Robert, you will call into the leader line below. Let me know if you have any questions. Also, Robert note the name of the call. Let me know if you want to change that. I wasn't sure what to call it. From: Ryan, Jini **Sent:** Thursday, July 11, 2019 1:17 PM To: Drinkard, Andrea < Drinkard. Andrea@epa.gov> Cc: Grantham, Nancy < Grantham. Nancy@epa.gov> Subject: RE: leader view call Here's the call info: Conference ID Date of call: 07/12/2019 Time of call: 12:00 Eastern Time All times are displayed in Military Time.) Expected duration: 30 minutes Topic: EPA Registers Insecticides Sulfoxaflor Number of participants: 30 Call type: Operator Assisted Leader Toll-Free Dial-In Number: Ex. 6 Personal Privacy (PP) Participant Toll Free Dial-In Number: Ex. 6 Personal Privacy (PP) Leaderview website: http://www.leaderview.com Web PIN: Thanks. \*\*\*\*\*\*\*\*\* Ms. Jini Ryan

Ms. Jini Ryan Director

Office of Multimedia (OM)

U.S. Environmental Protection Agency

202-564-0175 (Office)

Ex. 6 Personal Privacy (PP) (Cell)

ryan.jini@epa.gov (Email)

Address:

1200 Pennsylvania Ave., NW WJC-North, Room 6330H, MC 1703A Washington, DC 20460

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

Office of Multimedia intranet site <a href="http://intranet.epa.gov/media/">http://intranet.epa.gov/media/</a>

(Note: it works best in Firefox and Chrome)

FOR EPA STAFF:

From: Drinkard, Andrea

**Sent:** Thursday, July 11, 2019 12:20 PM **To:** Ryan, Jini <<u>Ryan, Jini@epa.gov</u>>

Cc: Grantham, Nancy < Grantham. Nancy@epa.gov>

Subject: leader view call

Hi Jini,

Would you be able to set one up for me for tomorrow at noon. Let's do 30 lines and the title of the call will be: EPA registers insecticide Sulfoxaflor. Please let me know if you need additional information or have questions.

Thanks.

Andrea Drinkard Senior Advisor (detail) EPA Office of Public Affairs

Desk: 202.564.1601
Cell: Ex. 6 Personal Privacy (PP)

From: Dennis, Allison [Dennis.Allison@epa.gov]

Sent: 5/9/2019 11:39:42 PM

To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]

Re: For OPA and OCIR review & approval: WA WQS Comms Plan Subject:

Thanks:)

Sent from my iPhone

On May 9, 2019, at 6:59 PM, Drinkard, Andrea < <u>Drinkard.Andrea@epa.gov</u>> wrote:

Any issues with a 3pm notification/4pm web posting tomorrow for this? Chris Hladick will sign. Allison has coordinated with OCIR on notifications.

Thanks.

### Begin forwarded message:

From: "Dennis, Allison" < Dennis. Allison@epa.gov>

Date: May 8, 2019 at 5:29:10 PM EDT

To: "Schiermeyer, Corry" <schiermeyer.corry@epa.gov>, "Lyons, Troy"

<lyons.troy@epa.gov>, "Rodrick, Christian" <rodrick.christian@epa.gov>, "McFaul, Jessica" <mcfaul.jessica@epa.gov>, "Konkus, John" <konkus.john@epa.gov>, "Carter,

Brittany S." <carter.brittanys@epa.gov>

Cc: "Fotouhi, David" < Fotouhi. David@epa.gov >, "Grantham, Nancy"

<Grantham.Nancy@epa.gov>, "Drinkard, Andrea" <Drinkard.Andrea@epa.gov>, "Kaiser,

Sven-Erik" < Kaiser. Sven-Erik@epa.gov>, "Borum, Denis" < Borum. Denis@epa.gov>,

"Bowles, Jack" <Bowles\_Jack@epa.gov>, "Hannon, Arnita" <Hannon,Arnita@epa.gov>,

"Holsman, Marianne" < Holsman. Marianne@epa.gov>

Subject: For OPA and OCIR review & approval: WA WQS Comms Plan

### **DELIBERATIVE**

Attached is the updated comms plan for the WA water quality standards (human health criteria) decision. We expect the Region 10 Administrator will sign either tomorrow or Friday.

Attached is the comms strategy with proposed holding statement The comms plan was reviewed and approved by R10 and Dave and Anna. For your awareness, the Administrator received a letter yesterday from WA State (Ecology) on this issue as well as a letter from state's attorney general today (both attached).

As far as press strategy we are recommending Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

Let's chat! -Allison

Allison Dennis **Acting Communications Director**  Office of Water

U.S. Environmental Protection Agency

Office: 202-564-1985
Cell: Ex. 6 Personal Privacy (PP)
Dennis. Allison@epa.gov

<5-7-19 Director Bellon Letter to EPA Administrator Wheeler re HHC.pdf>

<incoming\_wa\_ag\_wa\_state\_wqs\_5-8-19.pdf>

<WA WQS HHC\_Comm Strategy OW 5.8.19.docx>

From: Dennis, Allison [Dennis.Allison@epa.gov]

**Sent**: 3/20/2019 5:24:45 PM

To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]
Subject: Re: Request to share WIIN info with the PADS

I do want share basic Winn info with the pads for situational awareness but want to wait until I know where we shake out on Monday's potential announcement . Ogwdw and I learned today that Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP) Will share more soon.

Sent from my iPhone

Got it. Thanks. My apologies for all the questions.

On Mar 20, 2019, at 1:11 PM, Dennis, Allison < Dennis. Allison@epa.gov> wrote:

Sent from my iPhone

Begin forwarded message:

From: "Dennis, Allison" < Dennis. Allison@epa.gov>

Date: March 19, 2019 at 4:53:11 PM EDT

To: "Klasen, Matthew" < Klasen. Matthew@epa.gov>

Cc: "Wadlington, Christina" < <u>Wadlington, Christina@epa.gov</u>>

Subject: FW: Request to share WIIN info with the PADS

FYI

From: Dennis, Allison

Sent: Tuesday, March 19, 2019 4:18 PM

To: Lieberman, Paige <<u>Lieberman.Paige@epa.gov</u>>; Mejias, Melissa

<meiias.melissa@epa.gov>

Subject: FW: Request to share WIIN info with the PADS

From: Dennis, Allison

Sent: Tuesday, March 19, 2019 3:38 PM

To: Konkus, John <konkus.john@epa.gov>; Schiermeyer, Corry

<schiermeyer.corry@epa.gov>

Cc: McFaul, Jessica <mcfaul.jessica@epa.gov>; Grantham, Nancy

<Grantham.Nancy@epa.gov>

Subject: Request to share WIIN info with the PADS

I mentioned our upcoming WINN grant allocation announcement on the 2:30 PADS call and a lot of them (plus their RAs) don't know much about these new EPA grant programs. With your permission, may I share the

attached 1 pager with them for situational awareness? I would instruct them that this is close hold info and that we're still finalizing the state/tribal allocation numbers.

Allison Dennis
Deputy Communications Director
Office of Water
U.S. Environmental Protection Agency

Office: 202-564-1985
Cell: Ex. 6 Personal Privacy (PP)
Dennis. Allison@epa.gov

<ext\_WIIN full\_1-pager February 2019.docx>

From: Dennis, Allison [Dennis.Allison@epa.gov]

**Sent**: 3/20/2019 5:10:58 PM

To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]
Subject: Fwd: Request to share WIIN info with the PADS

Attachments: ext\_WIIN full\_1-pager February 2019.docx; ATT00001.htm

### Sent from my iPhone

### Begin forwarded message:

From: "Dennis, Allison" < Dennis. Allison@epa.gov>

Date: March 19, 2019 at 4:53:11 PM EDT

To: "Klasen, Matthew" < Klasen. Matthew@epa.gov >

Cc: "Wadlington, Christina" < Wadlington. Christina@epa.gov > Subject: FW: Request to share WIIN info with the PADS

### FYI

From: Dennis, Allison

**Sent:** Tuesday, March 19, 2019 4:18 PM

To: Lieberman, Paige <Lieberman, Paige@epa.gov>; Mejias, Melissa <mejias.melissa@epa.gov>

Subject: FW: Request to share WIIN info with the PADS

From: Dennis, Allison

Sent: Tuesday, March 19, 2019 3:38 PM

To: Konkus, John < konkus.john@epa.gov >; Schiermeyer, Corry < schiermeyer.corry@epa.gov > Cc: McFaul, Jessica < mcfaul.jessica@epa.gov >; Grantham, Nancy < Grantham.Nancy@epa.gov >

Subject: Request to share WIIN info with the PADS

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Allison Dennis
Deputy Communications Director
Office of Water
U.S. Environmental Protection Agency

Office: 202-564-1985
Cell: Ex. 6 Personal Privacy (PP)
Dennis. Allison@epa.gov

From: Dennis, Allison [Dennis.Allison@epa.gov]

**Sent**: 4/15/2019 4:25:06 PM

To: Bowles, Jack [Bowles.Jack@epa.gov]; Drinkard, Andrea [Drinkard.Andrea@epa.gov]

Subject: RE: conduit new timing

Yes I will join today's 12:30 call.

From: Bowles, Jack

Sent: Monday, April 15, 2019 12:24 PM

To: Dennis, Allison < Dennis. Allison@epa.gov>; Drinkard, Andrea < Drinkard. Andrea@epa.gov>

Subject: RE: conduit new timing

Are you going to be on the PAD call today to discuss? Also 401?

From: Dennis, Allison

Sent: Monday, April 15, 2019 12:05 PM

To: Schollhamer, Mary <Schollhamer.Mary@epa.gov>; Bowles, Jack <Bowles.Jack@epa.gov>; Skane, Elizabeth

<Skane.Elizabeth@epa.gov>; Gude, Karen <Gude.Karen@epa.gov>

Subject: conduit new timing

Anna will chat with Amena Saiyid, Bloomberg BNA around noon today with an Embargo until 2pm and then we will post the release on our website and send to reporters that ask.

Mary- can you have our website live at 1:45/1:55 pm?

Allison Dennis
Deputy Communications Director
Office of Water
U.S. Environmental Protection Agency

Office: 202-564-1985
Cell: Ex. 6 Personal Privacy (PP)
Dennis. Allison@epa.gov

From: Dennis, Allison [Dennis.Allison@epa.gov]

**Sent**: 10/4/2019 3:57:43 PM

To: Regional Public Affairs Directors [Regional Public Affairs Directors@epa.gov]

Subject: FW: Special purpose call on the LCR - RA Briefing Paper

Attachments: RABriefingLCR.10.2.19.v3.docx

FYI

From: Mejias, Melissa <mejias.melissa@epa.gov>

Sent: Friday, October 04, 2019 11:57 AM

To: Deziel, Dennis <Deziel.Dennis@epa.gov>; Lopez, Peter <lopez.peter@epa.gov>; Servidio, Cosmo <Servidio.Cosmo@epa.gov>; Walker, Mary <walker.mary@epa.gov>; Stepp, Cathy <stepp.cathy@epa.gov>; McQueen, Ken <McQueen.Ken@epa.gov>; Gulliford, Jim <gulliford.jim@epa.gov>; Sopkin, Gregory <sopkin.gregory@epa.gov>; Stoker, Michael B. <stoker.michael@epa.gov>; Hladick, Christopher <hladick.christopher@epa.gov> Cc: Mclain, Jennifer <Mclain.Jennifer@epa.gov>; Moraff, Kenneth <Moraff.Ken@epa.gov>; Laureano, Javier <laureano.javier@epa.gov>; Libertz, Catherine <Libertz.Catherine@epa.gov>; Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; Holst, Linda <holst.linda@epa.gov>; Maguire, Charles <maguire.charles@epa.gov>; Robichaud, Jeffery@epa.gov>; O'Connor, Darcy <oconnor.darcy@epa.gov>; Torres, Tomas <Torres.Tomas@epa.gov>; Opalski, Dan <Opalski.Dan@epa.gov>; Aguirre, Janita <Aguirre.Janita@epa.gov>; Dennis, Allison <Dennis.Allison@epa.gov>

Subject: Special purpose call on the LCR - RA Briefing Paper

Dear Regional Administrators,

As a follow-up to yesterday's LCR call, please find attached a one page briefing paper. This document is close hold and not for external distribution.

Please let me know if you have any questions and have a great weekend!

Best Regards, Melissa Mejias, Confidential Assistant to Dave Ross, Assistant Administrator, Office of Water U.S. Environmental Protection Agency Room 3226B WJC East

Phone: (202) 564-6512 Mobile: Ex. 6 Personal Privacy (PP)

Email: mejias.melissa@epa.gov

From: Germann, Sandy [Germann.Sandy@epa.gov]

**Sent**: 3/12/2019 1:31:08 PM

To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]

Subject: RE: FY 2020 Budget Highlights

Thanks, what do you advise if folks get questions at external events?

Sandy Germann US EPA Office of Policy

Ex. 6 Personal Privacy (PP)

germann.sandy@epa.gov

From: Drinkard, Andrea

Sent: Tuesday, March 12, 2019 9:29 AM

To: Germann, Sandy < Germann. Sandy@epa.gov>

Subject: RE: FY 2020 Budget Highlights

Sure. Note that these are internal only.

From: Germann, Sandy

Sent: Tuesday, March 12, 2019 9:26 AM

To: Drinkard, Andrea < Drinkard. Andrea@epa.gov>

Subject: FW: FY 2020 Budget Highlights

Andrea, Hi, was just asked if we can now share the talking points w/ our management team. Can you confirm? (Shared w/ political folks yesterday).

Sandy Germann

US EPA Office of Policy

Ex. 6 Personal Privacy (PP)

germann.sandy@epa.gov

From: Germann, Sandy

Sent: Monday, March 11, 2019 10:37 AM

To: Bolen, Brittany < bolen.brittany@epa.gov >; Letendre, Daisy < letendre.daisy@epa.gov >; Jones, Lindsey < letendre.daisy@epa.gov >; Kime, Robin < Kime.Robin@epa.gov >; Lovell, Will (William) < lovell.william@epa.gov >

Subject: FW: FY 2020 Budget Highlights

FYI

From: Drinkard, Andrea

**Sent:** Monday, March 11, 2019 10:34 AM

To: Regional Public Affairs Directors < Regional Public Affairs Directors@epa.gov>; HQ Communications Directors

<HQCommunicationsDirectors@epa.gov>

Cc: McFaul, Jessica <mcfaul.jessica@epa.gov>; Sauerhage, Maggie <Sauerhage.Maggie@epa.gov>; Grantham, Nancy

<Grantham.Nancy@epa.gov>; Konkus, John <konkus.john@epa.gov>; Richardson, RobinH

<Richardson.RobinH@epa.gov>

Subject: FW: FY 2020 Budget Highlights

Hi all-

Just wanted you to have the materials for today's budget announcement. The release will be coming out of HQ around 12pm today. Please note that the talking points are for senior leadership only and should be kept close hold. The website linked in the press release (which will include the budget in brief document), will go live around noon as well.

Please let us know if you have any questions.

Thanks.

-Andrea-

From: Greaves, Holly

Sent: Monday, March 11, 2019 9:56 AM

**To:** Leadership\_Assistant\_Administators < Leadership\_Assistant\_Administators@epa.gov>; Leadership\_Deputy\_Assistant\_Administrators@epa.gov>;

Leadership Regional Administrators < Leadership Regional Administrators@epa.gov>;

Leadership\_Deputy\_Regional\_Administrators < Leadership\_Deputy\_Regional\_Administrators@epa.gov >

Cc: Bloom, David <<u>Bloom.David@epa.gov</u>>; Terris, Carol <<u>Terris.Carol@epa.gov</u>>; Williams, Maria <<u>Williams.Maria@epa.gov</u>>; Baden, Beth <<u>Baden.Beth@epa.gov</u>>; McMichael, Nate <<u>McMichael.Nate@epa.gov</u>>;

Grantham, Nancy < Grantham.Nancy@epa.gov>; Konkus, John < konkus.john@epa.gov>; Hanson, Paige (Catherine) < hanson.catherine@epa.gov>; Jackson, Ryan < jackson.ryan@epa.gov>; Molina, Michael < molina.michael@epa.gov>

Subject: FY 2020 Budget Highlights

Good morning,

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Thank you, and please let me know if you have any questions.

Holly Greaves

From: Germann, Sandy [Germann.Sandy@epa.gov]

**Sent**: 3/12/2019 1:25:53 PM

To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]

Subject: FW: FY 2020 Budget Highlights

Attachments: FINAL\_FY 2020 Budget Highlights.docx; EPA's FY 2020 Budget in Brief.pdf; FINAL FY 2020 Budget Press Release.docx

Andrea, Hi, was just asked if we can now share the talking points w/ our management team. Can you confirm? (Shared w/ political folks yesterday).

Sandy Germann

US EPA Office of Policy

Ex. 6 Personal Privacy (PP)

germann.sandy@epa.gov

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Sent: Monday, March 11, 2019 10:37 AM

**To:** Bolen, Brittany <bolen.brittany@epa.gov>; Letendre, Daisy <letendre.daisy@epa.gov>; Jones, Lindsey <jones.lindsey@epa.gov>; Kime, Robin <Kime.Robin@epa.gov>; Lovell, Will (William) <lovell.william@epa.gov>

Subject: FW: FY 2020 Budget Highlights

FYI

From: Drinkard, Andrea

Sent: Monday, March 11, 2019 10:34 AM

To: Regional Public Affairs Directors < Regional Public Affairs Directors@epa.gov>; HQ Communications Directors

<hC><hCommunicationsDirectors@epa.gov></h>

Cc: McFaul, Jessica <mcfaul.jessica@epa.gov>; Sauerhage, Maggie <Sauerhage.Maggie@epa.gov>; Grantham, Nancy

<Grantham.Nancy@epa.gov>; Konkus, John <konkus.john@epa.gov>; Richardson, RobinH

< Richardson. Robin H@epa.gov >

Subject: FW: FY 2020 Budget Highlights

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-Andrea-

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Sent: Monday, March 11, 2019 9:56 AM

To: Leadership\_Assistant\_Administators < Leadership\_Assistant\_Administators@epa.gov>;

Leadership\_Deputy\_Assistant\_Administrators < Leadership\_Deputy\_Assistant\_Administrators@epa.gov>;

Leadership\_Regional\_Administrators < Leadership\_Regional\_Administrators@epa.gov>;

Leadership\_Deputy\_Regional\_Administrators <Leadership\_Deputy\_Regional\_Administrators@epa.gov>

Cc: Bloom, David <Bloom.David@epa.gov>; Terris, Carol <Terris.Carol@epa.gov>; Williams, Maria <\www.Maria@epa.gov>; Baden, Beth <Baden.Beth@epa.gov>; McMichael, Nate <McMichael.Nate@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Konkus, John <konkus.john@epa.gov>; Hanson, Paige (Catherine) <hanson.catherine@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Molina, Michael <molina.michael@epa.gov> Subject: FY 2020 Budget Highlights

### Good morning,

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Thank you, and please let me know if you have any questions.

**Holly Greaves** 

From: Harwood, Jackie [Harwood.Jackie@epa.gov]

**Sent**: 3/11/2019 6:00:42 PM

To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]

Subject: RE: FY 2020 Budget Highlights

Thanks Andrea - very helpful!

Jackie Harwood Communications Director Office of Land and Emergency Management (OLEM/OCPA) U.S. Environmental Protection Agency

(202) 564-7578

Follow OLEM on Twitter: @EPALand

From: Drinkard, Andrea

Sent: Monday, March 11, 2019 10:34 AM

To: Regional Public Affairs Directors < Regional\_Public\_Affairs\_Directors@epa.gov>; HQ Communications Directors

<HQCommunicationsDirectors@epa.gov>

Cc: McFaul, Jessica <mcfaul.jessica@epa.gov>; Sauerhage, Maggie <Sauerhage.Maggie@epa.gov>; Grantham, Nancy

<Grantham.Nancy@epa.gov>; Konkus, John <konkus.john@epa.gov>; Richardson, RobinH

<Richardson.RobinH@epa.gov>

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-Andrea-

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Leadership\_Deputy\_Assistant\_Administrators < Leadership\_Deputy\_Assistant\_Administrators@epa.gov>;

Leadership\_Regional\_Administrators < Leadership\_Regional\_Administrators@epa.gov>;

Leadership\_Deputy\_Regional\_Administrators <Leadership\_Deputy\_Regional\_Administrators@epa.gov>

**Cc:** Bloom, David < Bloom.David@epa.gov>; Terris, Carol < Terris.Carol@epa.gov>; Williams, Maria

<<u>Williams.Maria@epa.gov</u>>; Baden, Beth <<u>Baden.Beth@epa.gov</u>>; McMichael, Nate <<u>McMichael.Nate@epa.gov</u>>;

Grantham, Nancy < Grantham. Nancy@epa.gov>; Konkus, John < konkus.john@epa.gov>; Hanson, Paige (Catherine)

<a href="mailto:</a>, Sackson, Ryan <a href="mailto:ackson.ryan@epa.gov">; Molina, Michael <a href="mailto:molina.michael@epa.gov">molina.michael@epa.gov</a>>

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Thank you, and please let me know if you have any questions.

**Holly Greaves** 

From: Wadlington, Christina [Wadlington.Christina@epa.gov]

**Sent**: 2/13/2019 2:25:43 PM

**To**: Drinkard, Andrea [Drinkard.Andrea@epa.gov]

Subject: FW: PFAS Action Plan - almost final

Attachments: PFAS Action Plan MASTER\_02.11.19\_9pm edits.docx

From: Mclain, Jennifer

Sent: Tuesday, February 12, 2019 11:23 AM

To: Leadership\_Regional\_Administrators <Leadership\_Regional\_Administrators@epa.gov>; Wildeman, Anna <wildeman.anna@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Kramer, Jessica L. <kramer.jessical@epa.gov>; Szaro, Deb <Szaro.Deb@epa.gov>; Mugdan, Walter <Mugdan.Walter@epa.gov>; Rodrigues, Cecil <rodrigues.cecil@epa.gov>; Holst, Linda <holst.linda@epa.gov>; Thiede, Kurt <thiede.kurt@epa.gov>; Gray, David <gray.david@epa.gov>; Chu, Ed <Chu.Ed@epa.gov>; Thomas, Deb <thomas.debrah@epa.gov>; Jordan, Deborah <Jordan.Deborah@epa.gov>; Pirzadeh, Michelle <Pirzadeh.Michelle@epa.gov>; Heard, Anne <Heard.Anne@epa.gov>; O'Connor, Darcy <oconnor.darcy@epa.gov>; Walker, Mary <walker.mary@epa.gov>; Dunn, Alexandra <dunn.alexandra@epa.gov>; Ross, David P <ross.davidp@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Dunlap, David <dunlap.david@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>; Bolen, Brittany <bodine.brittany@epa.gov>; Wright, Peter <wright.peter@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Breen, Barry <Breen.Barry@epa.gov>; Starfield, Lawrence <Starfield.Lawrence@epa.gov> Cc: Regional Public Affairs Directors <Regional\_Public\_Affairs\_Directors@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Wadlington, Christina <Wadlington.Christina@epa.gov>; Block, Molly <block.molly@epa.gov>; Konkus, John <konkus.john@epa.gov>; Burneson, Eric <Burneson.Eric@epa.gov>; Nickerson, William <Nickerson.William@epa.gov>; Tiago, Joseph <Tiago.Joseph@epa.gov>

Subject: PFAS Action Plan - almost final

Internal/close hold

EPA PFAS team -

Attached is an almost final version of the PFAS Action Plan, this has the final text but the file is still undergoing QA/formatting. Again, I want to extend our thanks to you and your staffs for your impressive work over the year on stakeholder engagement and development of this plan. This has truly been a team effort and it has been our pleasure to work with you.

We are working hard to get roll out materials to you as quickly as possible. In the meantime, if you have questions about anything in the PFAS Action Plan, please let me know.

Best, Jennifer

From: Wadlington, Christina [Wadlington.Christina@epa.gov]

**Sent**: 2/7/2019 11:08:17 PM

To: Mclain, Jennifer [Mclain.Jennifer@epa.gov]
CC: Drinkard, Andrea [Drinkard.Andrea@epa.gov]

**Subject**: Re: PFAS presentation

Yay!

Sent from my iPhone

On Feb 7, 2019, at 6:05 PM, Mclain, Jennifer < <a href="Mclain.Jennifer@epa.gov">Mclain.Jennifer@epa.gov</a>> wrote:

I am taking the latest version home for one last read through. I talked to Dave and he is comfortable sending the PowerPoint to the Regions with internal/do not distribute markings. We can coordinate in the morning.

Jennifer

Begin forwarded message:

From: "Mears, Mary" < Mears. Mary@epa.gov > Date: February 7, 2019 at 5:11:34 PM EST

To: "Mclain, Jennifer" < Mclain, Jennifer@epa.gov>

Subject: RE: PFAS presentation

Thank you. And even if you can't share with me, but can share with Pete Lopez that would be helpful. Again, nice slides – they were walls of words like most PPT!

Mary Mears
U.S. EPA Region 2
Public Affairs Director
(212) 637-3673 (office)
Ex. 6 Personal Privacy (PP) (Cell)

From: Mclain, Jennifer

**Sent:** Thursday, February 7, 2019 4:54 PM **To:** Mears, Mary < Mears. Mary@epa.gov>

**Cc:** Kluesner, Dave <<u>kluesner.dave@epa.gov</u>>; Evangelista, Pat

<Evangelista.Pat@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>;

Wadlington, Christina < Wadlington. Christina@epa.gov>

Subject: Re: PFAS presentation

Thank you Mary! Yes, we are working to get the slides and other materials out to everyone as soon as possible.

Jennifer

On Feb 7, 2019, at 3:27 PM, Mears, Mary < Mears Mary@epa.gov > wrote:

Hi Jennifer,

First, thank you so much for the very informative webinar today. It was really clear and very helpful. My RA Pete Lopez was not able to call in or log in, because a speaking engagement that he was at ran late. I know it is VERY close hold, but is there any way you can share the slides with me or perhaps AA David Ross would be willing to send them to the RA's directly as close hold? I wouldn't ask, but I thought it was such a clear presentation, I think Pete would really benefit from it.

Mary Mears
U.S. EPA Region 2
Public Affairs Director
(212) 637-3673 (office)
EX. 6 Personal Privacy (PP) (Cell)

From: Mclain, Jennifer [Mclain.Jennifer@epa.gov]

**Sent**: 2/8/2019 10:52:39 PM

To: Szaro, Deb [Szaro.Deb@epa.gov]; Mugdan, Walter [Mugdan.Walter@epa.gov]; Rodrigues, Cecil

[rodrigues.cecil@epa.gov]; Holst, Linda [holst.linda@epa.gov]; Thiede, Kurt [thiede.kurt@epa.gov]; Gray, David [gray.david@epa.gov]; Chu, Ed [Chu.Ed@epa.gov]; Thomas, Deb [thomas.debrah@epa.gov]; Jordan, Deborah [Jordan.Deborah@epa.gov]; Pirzadeh, Michelle [Pirzadeh.Michelle@epa.gov]; Heard, Anne [Heard.Anne@epa.gov];

O'Connor, Darcy [oconnor.darcy@epa.gov]; Walker, Mary [walker.mary@epa.gov]

CC: Drinkard, Andrea [Drinkard.Andrea@epa.gov]; Wadlington, Christina [Wadlington.Christina@epa.gov]; Burneson,

Eric [Burneson.Eric@epa.gov]; Regional Public Affairs Directors [Regional\_Public\_Affairs\_Directors@epa.gov]

Subject: PFAS Action Plan Webinar

Attachments: PFAS Action Plan Webinar-v10.pdf

Internal/Close-hold

All – with apologies for the delay, attached is the overview of the PFAS Action Plan that we discussed yesterday.

Have a great weekend! Jennifer

From: Spraul, Greg [Spraul.Greg@epa.gov]

**Sent**: 2/5/2019 3:47:07 PM

To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]

Subject: RE: PFOA -- heads up

Got it

From: Drinkard, Andrea

**Sent:** Monday, February 04, 2019 5:28 PM **To:** Spraul, Greg <Spraul.Greg@epa.gov>

Subject: Re: PFOA -- heads up

They decided to stick with the previous statement, so don't use this. Not sure it's ever going to see the light of day.

On Feb 4, 2019, at 3:15 PM, Drinkard, Andrea < Drinkard. Andrea@epa.gov> wrote:

From: Drinkard, Andrea

Sent: Monday, February 04, 2019 3:12 PM

To: Ross, David P <ross.davidp@epa.gov>; Wadlington, Christina < Wadlington. Christina@epa.gov>;

Mclain, Jennifer < <a href="Mclain.Jennifer@epa.gov">Mclain, Jennifer@epa.gov</a> <a href="Mclain.Jennifer@epa.gov">Cc: Kramer, Jessical@epa.gov</a> <a href="Mclain.Jennifer@epa.gov">L. <a href="Mclain.Jennifer@epa.gov">kramer.jessical@epa.gov</a> <a href="Mclain.Jennifer@epa.gov">Cc: Kramer, Jessical@epa.gov</a> <a href="Mclain.Jennifer@epa.gov">Mclain.Jennifer@epa.gov</a> <a href="Mclain.Jennifer@epa.gov">Mclain.Jennifer@epa.gov

Subject: RE: PFOA -- heads up

Slightly updated version. Christina, I know you're good with this, but double checking to make sure, Jennifer, you are ok. Thanks.

## Ex. 5 Deliberative Process (DP)

From: Drinkard, Andrea

Sent: Monday, February 04, 2019 2:17 PM

To: Ross, David P < ross.davidp@epa.gov >; Wadlington, Christina < Wadlington, Christina@epa.gov >;

Mclain, Jennifer < <a href="Mclain.Jennifer@epa.gov">Mclain, Jennifer@epa.gov</a> <a href="Mclain.Jennifer@epa.gov">Cc: Kramer, Jessical@epa.gov</a> <a href="Mclain.Jennifer@epa.gov">Jennifer@epa.gov</a> <a href="Mclain.Jennifer@epa.gov">Cc: Kramer, Jessical@epa.gov</a> <a href="Mclain.Jennifer@epa.gov">Mclain.Jennifer@epa.gov</a> <a href="Mclain.Jennifer@epa.gov">Cc: Kramer, Jessical@epa.gov</a> <a href="Mclain.Jennifer@epa.gov">Mclain.Jennifer@epa.gov</a> <a href="Mclain.Jennifer@epa.gov">

Subject: FW: PFOA -- heads up

For your consideration here's a draft/deliberative statement for your consideration. Edits welcomed and encouraged.

## Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

From: Ross, David P

Sent: Monday, February 04, 2019 11:35 AM To: Jackson, Ryan <jackson.ryan@epa.gov>

Cc: Konkus, John <konkus.john@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Abboud, Michael

<abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Block, Molly

<br/><block.molly@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Drinkard, Andrea

<Drinkard.Andrea@epa.gov>
Subject: Re: PFOA -- heads up

We have a statement drafted that can be tweaked.

Sent from my iPhone

On Feb 4, 2019, at 11:32 AM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

We need to Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ryan Jackson Chief of Staff U.S. EPA Ex. 6 Personal Privacy (PP)

On Feb 4, 2019, at 11:27 AM, Konkus, John < konkus.john@epa.gov> wrote:

Flagging...for awareness.

From: Mears, Mary

Sent: Monday, February 4, 2019 11:11 AM

To: Grantham, Nancy < Grantham. Nancy@epa.gov>; Drinkard, Andrea

<Drinkard.Andrea@epa.gov>; Richardson, RobinH

<Richardson.RobinH@epa.gov>

Cc: Kluesner, Dave <kluesner.dave@epa.gov>

Subject: PFOA Importance: High

Hi Nancy, Robin and Andrea,

FYI see below related to PFOA and SOTU. We have also just got a media inquiry from NY Newsday asking for a

response to a planned media event from Senator Schumer plans today. According to reporter, Senator Schumer will ask EPA to "reverse course on a likely imminent decision to not set drinking water standards for highly toxic chemicals already found on Long Island."

From: Kluesner, Dave

**Sent:** Monday, February 4, 2019 9:45 AM **To:** Mears, Mary < Mears. Mary@epa.gov>

Cc: Rini, Sophia < Rini. Sophia@epa.gov >; Romanowski, Larisa

<<u>Romanowski.Larisa@epa.gov</u>>; Kandil, Shereen

<Kandil.Shereen@epa.gov>

**Subject:** this will be of interest to Pete

Importance: High

### **ALBANY TIMES UNION**

### Hoosick Falls environmental advocate to attend State of the Union

February 3, 2019

Hoosick Falls resident Michael Hickey, who exposed toxic chemicals polluting water in his Rensselaer County village, will attend the State of the Union in Washington D.C. Tuesday as the guest of U.S. Rep. Antonio Delgado.

Hickey said he was honored and grateful to be joining Delgado.

"Putting a spotlight on the poisoning of residents of Hoosick Falls and Petersburgh is exactly what we need to spur action on a local and national level," a statement to the Times Union read.

After the death of his father from cancer, Hickey began testing local water for contaminants. He discovered that a toxic chemical PFOA, emitted from factories nearby, polluted water supplies in and around the village of Hoosick Falls.

The Times Union reported the discovery in December 2015. The story also revealed that village and state officials downplayed the problem for more than a year and did not warn residents that the water was unsafe to drink, possibly to protect their efforts to revive the local economy.

Within a week of publication, the U.S. Environmental Protection Agency (EPA) demanded the village warn residents to stop drinking the water. Two months later, the state of New York declared the village would become a Superfund site designated for federally funded clean-up.

In 2016, Hickey **sued two companies** that operated the manufacturing plants which caused the contaminants. He and other Hoosick Falls residents, including mayor Rob Allen elected in 2017, have pushed for compensation and systemic change as the problem persists. A **recent survey** discovered rates of illnesses and cancer caused by pollution were higher than previously estimated.

Delgado, serving his first term as representative for the 19th Congressional District which includes Hoosick Falls, said the situation is **one of his top regional concerns**.

"I've seen personally the devastating effects that PFOA chemicals have had on our communities and on families like Michael Hickey's. He is a true hero in what he has done to spur action," a statement from the representative to the Times Union read. "I'm pleased he will join me for the State of the Union as we send a powerful message that this crisis cannot be ignored. I am committed to working with members on both sides of the aisle to take decisive steps to address water contamination. And I will be a strong voice urging the Administration to step up its efforts to protect the health and safety of communities in Upstate New York and across the country."

Last week, Delgado **sent a letter** to EPA's Acting Administrator Andrew Wheeler urging him to include a commitment to set maximum contaminant levels for the toxic chemicals PFOA and PFAS. Delgado's letter said that the agency's National Management Plan, overdue after a scheduled release in fall 2018, is rumored to not include a maximum level.

Delgado's guest will highlight the issue on a national stage. This year's State of the Union delivered by the President, an annual tradition, was delayed because of the longest shutdown in U.S. history. Speaker of the House Nancy Pelosi refused to invite President Donald Trump to give the speech in the House but conceded after the shutdown was temporarily ended.

Every member of Congress can bring one guest to the event. The President and the Speaker of the House may invite up to 24 guests each in their designated boxes.

Congressman Paul Tonko is bringing Gene Karpinski, president of the League of Conservation Voters and a leading national voice for climate action and environmental advocacy.

Congresswoman Elise Stefanik invited Steve Bowman, an Air Force veteran from Plattsburgh, who is the director of the Clinton County Veterans Services Agency.

Hoosick Falls Mayor Rob Allen, who announced Hickey's invitation on Twitter Saturday, said two other advocates from PFAS contaminated communities will attend the State of the Union address Tuesday.

New Hampshire Senator Jeanne Shaheen invited Andrea Amico from grassroots group "Testing for Pease." According to the organization's website, Amico started advocacy after tests exposed water contamination on Pease Air National Guard Base near Portsmouth in 2014. She was personally affected: her husband was employed for a company on Pease for almost 9 years and both of her children attended daycare there since they were 12 weeks old.

Michigan U.S. Rep. Dan Kildee invited Cathy Wusterbarth. According to his office's press release, Wusterbarth is a resident of Oscoda that

surrounds former Wurtsmith Air Force Base. PFAS chemicals from the base seeped into surrounding groundwater wells and pose a threat to drinking water sources in Oscoda and across the country.

Kildee's district also includes Flint, where tests in 2015 confirmed dangerous levels of lead in the town's drinking water.

Delgado told reporters a week after he took office that he is working with Kildee and other representatives of affected districts to champion for clean water.

### David W. Kluesner

U.S. Environmental Protection Agency, Region 2
Deputy Director, Public Affairs
290 Broadway, 26<sup>th</sup> Floor
New York, NY 10007
212.637.3653 (Office)

Ex. 6 Personal Privacy (PP) (Cell)

From: Thomi, Wendy [Thomi.Wendy@epa.gov]

**Sent**: 2/5/2019 2:59:34 PM

To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]; Dennis, Allison [Dennis.Allison@epa.gov]

CC: Fligger, Karen [Fligger.Karen@epa.gov]; Gerstein, Arielle [gerstein.arielle@epa.gov]; Gilbertson, Sue

[gilbertson.sue@epa.gov]

Subject: FW: Baltimore WIFIA

Attachments: Baltimore Social media-event 2-5-19.docx; Baltimore Press Release \_draft\_2-5-19.docx;

Baltimore\_WIFIAProjectFactsheet\_LoanClose 2-5-19.docx

Hi all.

Please replace the fact sheet, press release and social media documents I sent yesterday with these drafts. I did not know that there had been updates to the language. These are the latest versions. Talk with you later.

Thanks, Wendy

From: Thomi, Wendy

Sent: Monday, February 04, 2019 1:05 PM

To: Fligger, Karen <Fligger.Karen@epa.gov>; Dennis, Allison <Dennis.Allison@epa.gov>

Cc: Gerstein, Arielle <gerstein.arielle@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Lieberman, Paige

<Lieberman.Paige@epa.gov>
Subject: RE: Baltimore WIFIA

Hi all.

I sent the draft press release and Fact Sheet to Andrew for his review and he approved them. They are attached here. Let me know how you'd like to proceed. I think I also sent some social media suggestions to Andrea in December. I will look those up.

Wendy

From: Fligger, Karen

**Sent:** Friday, February 01, 2019 5:12 PM **To:** Dennis, Allison < Dennis. Allison@epa.gov>

Cc: Thomi, Wendy < Thomi. Wendy@epa.gov>; Gerstein, Arielle < gerstein.arielle@epa.gov>; Drinkard, Andrea

<Drinkard.Andrea@epa.gov>; Lieberman, Paige <Lieberman.Paige@epa.gov>

Subject: RE: Baltimore WIFIA

We have drafts of the PR and Factsheet, but I am not sure if they have gone through management review. I will figure that out on Monday so we can get you drafts early in the week.

I am not sure of the status of the social media.

\*\*\*\*\*\*\*\*\*\*

Karen Fligger
Senior Project Manager, <u>WIFIA Program</u>
US EPA, Office of Wastewater Management
202-564-2992

EX. 6 Personal Privacy (PP) (Cell)

From: Dennis, Allison

**Sent:** Friday, February 01, 2019 4:25 PM **To:** Fligger, Karen@epa.gov>

Cc: Thomi, Wendy <a href="mailto:Yhomi.Wendy@epa.gov">Yhomi.Wendy@epa.gov</a>; Gerstein, Arielle <a href="mailto:gerstein.arielle@epa.gov">gerstein.arielle@epa.gov</a>; Drinkard, Andrea

<Drinkard.Andrea@epa.gov>; Lieberman, Paige <Lieberman.Paige@epa.gov>

Subject: RE: Baltimore WIFIA

While we are sorting out the events, can someone share with me the draft PR, Fact Sheet and social media messages for this announcement? If these haven't been developed yet, can I get some drafts next week?

From: Fligger, Karen

Sent: Friday, February 01, 2019 4:23 PM
To: Dennis, Allison < Dennis. Allison@epa.gov>

Cc: Thomi, Wendy <a href="mailto:Yhomi.Wendy@epa.gov">"> Gerstein, Arielle <a href="mailto:serstein.arielle@epa.gov"></a>; Drinkard, Andrea

<Drinkard.Andrea@epa.gov>; Lieberman, Paige <Lieberman.Paige@epa.gov>; Klasen, Matthew

< <u>Klasen.Matthew@epa.gov</u>> **Subject:** RE: Baltimore WIFIA

Got it. We really can't do the event without Baltimore so the sooner we can get it on the mayor's calendar, the better.

\*\*\*\*\*\*\*\*\*\*

Karen Fligger
Senior Project Manager, <u>WIFIA Program</u>
US EPA, Office of Wastewater Management
202-564-2992

EX. 6 Personal Privacy (PP) (cell)

From: Dennis, Allison

**Sent:** Friday, February 01, 2019 4:21 PM **To:** Fligger, Karen <Fligger.Karen@epa.gov>

Cc: Thomi, Wendy <a href="mailto:Yhomi.Wendy@epa.gov">"> Gerstein, Arielle <a href="mailto:qepa.gov"> Gerstein,

<Drinkard.Andrea@epa.gov>; Lieberman, Paige <Lieberman.Paige@epa.gov>; Klasen, Matthew

< <u>Klasen.Matthew@epa.gov</u>> **Subject:** Re: Baltimore WIFIA

Good to hear. Just to be clear- this proposed time is still tentative. Ocir just learned today of another wh event happening at the same time so the timing could still shift.:(

Sent from my iPhone

On Feb 1, 2019, at 4:13 PM, Fligger, Karen <Fligger.Karen@epa.gov> wrote:

I just heard from Baltimore that they were able to put a hold on the Mayor's calendar for that date and time.

\*\*\*\*\*\*\*\*\*\*

Karen Fligger
Senior Project Manager, <u>WIFIA Program</u>
US EPA, Office of Wastewater Management
202-564-2992

EX. 6 Personal Privacy (PP) (cell)

From: Dennis, Allison

Sent: Friday, February 01, 2019 10:10 AM

To: Fligger, Karen < Fligger. Karen@epa.gov>; Thomi, Wendy < Thomi. Wendy@epa.gov>; Gerstein, Arielle

<gerstein.arielle@epa.gov>; Drinkard, Andrea < Drinkard.Andrea@epa.gov>

Cc: Lieberman, Paige <Lieberman.Paige@epa.gov>

Subject: RE: Baltimore WIFIA

Hi, I just invited you to an EPA only planning call with the AO, OCIR, R3, and OPA staff. [Ex. 5 Deliberative Process (DP)]

Ex. 5 Deliberative Process (DP) | we can see where this call goes first and take it from there.

One immediate ask: can you Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

?

FYI: I will out the week of Feb 18 as well (spring break) though I may be working a bit. Paige will be my backup this week.

From: Fligger, Karen

Sent: Friday, February 01, 2019 9:59 AM

To: Dennis, Allison < Dennis. Allison@epa.gov>; Thomi, Wendy < Thomi. Wendy@epa.gov>; Gerstein,

Arielle <gerstein.arielle@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>

Subject: RE: Baltimore WIFIA

Hi All-

I shared this date with Baltimore this morning. My contact there is:

### Jeffrey Raymond

Chief, Communications and Community Affairs Baltimore City Department of Public Works
Office: (410) 545-6541 Cell: [Ex. 6 Personal Privacy (PP)]
Jeffrey.Raymond@baltimorecity.gov

I will be out of the office the week of February 18 and not checking in at all, so Arielle will take over leading this from the WIFIA side. Though you can keep me in the loop.

Also, can you all make sure that the region is looped in?

Karen

\*\*\*\*\*\*\*\*\*\*

Karen Fligger
Senior Project Manager, <u>WIFIA Program</u>
US EPA, Office of Wastewater Management
202-564-2992

Ex. 6 Personal Privacy (PP) (Cell)

From: Dennis, Allison

Sent: Thursday, January 31, 2019 5:38 PM

To: Fligger, Karen < Fligger. Karen@epa.gov>; Thomi, Wendy < Thomi. Wendy@epa.gov>; Gerstein, Arielle

<gerstein.arielle@epa.gov>; Drinkard, Andrea < Drinkard.Andrea@epa.gov>

Subject: Fwd: Baltimore WIFIA

### Sent from my iPhone

### Begin forwarded message:

From: "Drinkard, Andrea" < Drinkard. Andrea@epa.gov>

Date: January 31, 2019 at 5:33:04 PM EST

To: "Dennis, Allison" < Dennis. Allison@epa.gov>

Subject: FW: Baltimore WIFI

From: Lyons, Troy

Sent: Thursday, January 31, 2019 5:33 PM

To: Jackson, Ryan <jackson.ryan@epa.gov>; Ross, David P <ross.davidp@epa.gov>; Wildeman, Anna <wildeman.anna@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Bennett, Tate <Bennett. Tate@epa.gov>; Molina, Michael <molina.michael@epa.gov>; Richardson, RobinH < Richardson.RobinH@epa.gov >; Grantham, Nancy

<Grantham.Nancy@epa.gov>; Drinkard, Andrea < Drinkard.Andrea@epa.gov>; Servidio, Cosmo <servidio.cosmo@epa.gov>; Palich, Christian <palich.christian@epa.gov>; Frye,

Tony (Robert) <frye.robert@epa.gov>

Cc: Humphreys, Hayly < humphreys.hayly@epa.gov >; Eby, Natasha

<eby.natasha@epa.gov> Subject: Baltimore WIFI Importance: High

Team—we have confirmed Ex. 5 Deliberative Process (DP) for the rescheduled WIFIA announcement in Baltimore with Senator Cardin. We should meet in short order to begin planning the logistics and coordinating with Senator Cardin's office.

### Troy M. Lyons

Associate Administrator Office of Congressional & Intergovernmental Relations U.S. Environmental Protection Agency

Ex. 6 Personal Privacy (PP) (Cell)

From: Spraul, Greg [Spraul.Greg@epa.gov]

**Sent**: 2/4/2019 8:25:33 PM

To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]

Subject: RE: PFOA -- heads up

Please let me know when this is approved for use.

From: Drinkard, Andrea

**Sent:** Monday, February 04, 2019 3:15 PM **To:** Spraul, Greg <Spraul.Greg@epa.gov>

Subject: FW: PFOA -- heads up

From: Drinkard, Andrea

Sent: Monday, February 04, 2019 3:12 PM

To: Ross, David P <ross.davidp@epa.gov>; Wadlington, Christina < Wadlington. Christina@epa.gov>; Mclain, Jennifer

<Mclain.Jennifer@epa.gov>

Cc: Kramer, Jessica L. <kramer.jessical@epa.gov>

Subject: RE: PFOA -- heads up

Slightly updated version. Christina, I know you're good with this, but double checking to make sure, Jennifer, you are ok. Thanks.

# Ex. 5 Deliberative Process (DP)

From: Drinkard, Andrea

Sent: Monday, February 04, 2019 2:17 PM

To: Ross, David P <ross.davidp@epa.gov>; Wadlington, Christina <Wadlington.Christina@epa.gov>; Mclain, Jennifer

<Mclain.Jennifer@epa.gov>

Cc: Kramer, Jessica L. < kramer.jessical@epa.gov>

Subject: FW: PFOA -- heads up

For your consideration here's a draft/deliberative statement for your consideration. Edits welcomed and encouraged.

# Ex. 5 Deliberative Process (DP)

From: Ross, David P

**Sent:** Monday, February 04, 2019 11:35 AM **To:** Jackson, Ryan <<u>jackson.ryan@epa.gov</u>>

Cc: Konkus, John <a href="mailto:konkus.john@epa.gov">konkus.john@epa.gov</a>; Lyons, Troy <a href="mailto:konkus.john@epa.gov">konkus.john@epa.gov</a>; Abboud, Michael

<abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Block, Molly <block.molly@epa.gov>; Beach,

Christopher < beach.christopher@epa.gov>; Drinkard, Andrea < Drinkard.Andrea@epa.gov>

Subject: Re: PFOA -- heads up

We have a statement drafted that can be tweaked.

Sent from my iPhone

On Feb 4, 2019, at 11:32 AM, Jackson, Ryan < jackson.ryan@epa.gov> wrote:

We need to	Ex. 5 Deliberative Process (DP)	
Ex. 5 Deliberative Process (DP)		

Ryan Jackson Chief of Staff U.S. EPA Ex. 6 Personal Privacy (PP)

On Feb 4, 2019, at 11:27 AM, Konkus, John < konkus.john@epa.gov> wrote:

Flagging...for awareness.

From: Mears, Mary

Sent: Monday, February 4, 2019 11:11 AM

To: Grantham, Nancy < Grantham. Nancy@epa.gov>; Drinkard, Andrea

<<u>Drinkard.Andrea@epa.gov</u>>; Richardson, RobinH <<u>Richardson.RobinH@epa.gov</u>>

Cc: Kluesner, Dave <kluesner.dave@epa.gov>

Subject: PFOA Importance: High

Hi Nancy, Robin and Andrea,

FYI see below related to PFOA and SOTU. We have also just got a media inquiry from NY Newsday asking for a response to a planned media event from Senator Schumer plans today. According to reporter, Senator Schumer will ask EPA to "reverse course on a likely imminent decision to not set drinking water standards for highly toxic chemicals already found on Long Island."

From: Kluesner, Dave

Sent: Monday, February 4, 2019 9:45 AM

To: Mears, Mary < Mears. Mary@epa.gov>

Cc: Rini, Sophia <Rini.Sophia@epa.gov>; Romanowski, Larisa

<<u>Romanowski.Larisa@epa.gov</u>>; Kandil, Shereen <<u>Kandil.Shereen@epa.gov</u>>

Subject: this will be of interest to Pete

Importance: High

#### **ALBANY TIMES UNION**

### Hoosick Falls environmental advocate to attend State of the Union

February 3, 2019

Hoosick Falls resident Michael Hickey, who exposed toxic chemicals polluting water in his Rensselaer County village, will attend the State of the Union in Washington D.C. Tuesday as the guest of U.S. Rep. Antonio Delgado.

Hickey said he was honored and grateful to be joining Delgado.

"Putting a spotlight on the poisoning of residents of Hoosick Falls and Petersburgh is exactly what we need to spur action on a local and national level," a statement to the Times Union read.

After the death of his father from cancer, Hickey began testing local water for contaminants. He discovered that a toxic chemical PFOA, emitted from factories nearby, polluted water supplies in and around the village of Hoosick Falls.

The Times Union reported the discovery in December 2015. The story also revealed that village and state officials downplayed the problem for more than a year and did not warn residents that the water was unsafe to drink, possibly to protect their efforts to revive the local economy.

Within a week of publication, the U.S. Environmental Protection Agency (EPA) demanded the village warn residents to stop drinking the water. Two months later, the state of New York declared the village would become a Superfund site designated for federally funded clean-up.

In 2016, Hickey **sued two companies** that operated the manufacturing plants which caused the contaminants. He and other Hoosick Falls residents, including mayor Rob Allen elected in 2017, have pushed for compensation and systemic change as the problem persists. A **recent survey** discovered rates of illnesses and cancer caused by pollution were higher than previously estimated.

Delgado, serving his first term as representative for the 19th Congressional District which includes Hoosick Falls, said the situation is **one of his top regional concerns**.

"I've seen personally the devastating effects that PFOA chemicals have had on our communities and on families like Michael Hickey's. He is a true hero in what he has done to spur action," a statement from the representative to the Times Union read. "I'm pleased he will join me for the State of the Union as we send a powerful message that this crisis cannot be ignored. I am committed to working with members on both sides of the aisle to take decisive steps to address water contamination. And I will be a strong voice urging the Administration to step up its efforts to protect the health and safety of communities in Upstate New York and across the country."

Last week, Delgado **sent a letter** to EPA's Acting Administrator Andrew Wheeler urging him to include a commitment to set maximum contaminant levels for the toxic

chemicals PFOA and PFAS. Delgado's letter said that the agency's National Management Plan, overdue after a scheduled release in fall 2018, is rumored to not include a maximum level.

Delgado's guest will highlight the issue on a national stage. This year's State of the Union delivered by the President, an annual tradition, was delayed because of the longest shutdown in U.S. history. Speaker of the House Nancy Pelosi refused to invite President Donald Trump to give the speech in the House but conceded after the shutdown was temporarily ended.

Every member of Congress can bring one guest to the event. The President and the Speaker of the House may invite up to 24 guests each in their designated boxes.

Congressman Paul Tonko is bringing Gene Karpinski, president of the League of Conservation Voters and a leading national voice for climate action and environmental advocacy.

Congresswoman Elise Stefanik invited Steve Bowman, an Air Force veteran from Plattsburgh, who is the director of the Clinton County Veterans Services Agency.

Hoosick Falls Mayor Rob Allen, who announced Hickey's invitation on Twitter Saturday, said two other advocates from PFAS contaminated communities will attend the State of the Union address Tuesday.

New Hampshire Senator Jeanne Shaheen invited Andrea Amico from grassroots group "Testing for Pease." According to the organization's website, Amico started advocacy after tests exposed water contamination on Pease Air National Guard Base near Portsmouth in 2014. She was personally affected: her husband was employed for a company on Pease for almost 9 years and both of her children attended daycare there since they were 12 weeks old.

Michigan U.S. Rep. Dan Kildee invited Cathy Wusterbarth. According to his office's press release, Wusterbarth is a resident of Oscoda that surrounds former Wurtsmith Air Force Base. PFAS chemicals from the base seeped into surrounding groundwater wells and pose a threat to drinking water sources in Oscoda and across the country.

Kildee's district also includes Flint, where tests in 2015 confirmed dangerous levels of lead in the town's drinking water.

Delgado told reporters a week after he took office that he is working with Kildee and other representatives of affected districts to champion for clean water.

### David W. Kluesner

<image001.jpg> <image002.png> <image003.png> <image004.png> <image005.png> <image006.png>

U.S. Environmental Protection Agency, Region 2
Deputy Director, Public Affairs
290 Broadway, 26<sup>th</sup> Floor
New York, NY 10007
212.637.3653 (Office)

Ex.6 Personal Privacy (PP) (Cell)

From: Wadlington, Christina [Wadlington.Christina@epa.gov]

**Sent**: 2/4/2019 8:13:02 PM

To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]
CC: Mclain, Jennifer [Mclain.Jennifer@epa.gov]

Subject: RE: PFOA -- heads up

Yes, Jennifer looked at it already.

From: Drinkard, Andrea

Sent: Monday, February 04, 2019 3:12 PM

To: Ross, David P <ross.davidp@epa.gov>; Wadlington, Christina <Wadlington.Christina@epa.gov>; Mclain, Jennifer

<Mclain.Jennifer@epa.gov>

Cc: Kramer, Jessica L. <kramer.jessical@epa.gov>

Subject: RE: PFOA -- heads up

Slightly updated version. Christina, I know you're good with this, but double checking to make sure, Jennifer, you are ok. Thanks.

# Ex. 5 Deliberative Process (DP)

From: Drinkard, Andrea

Sent: Monday, February 04, 2019 2:17 PM

To: Ross, David P < ross.davidp@epa.gov >; Wadlington, Christina < Wadlington. Christina@epa.gov >; Mclain, Jennifer

<Mclain.Jennifer@epa.gov>

Cc: Kramer, Jessica L. <kramer.jessical@epa.gov>

Subject: FW: PFOA -- heads up

For your consideration here's a draft/deliberative statement for your consideration. Edits welcomed and encouraged.

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From: Ross, David P

**Sent:** Monday, February 04, 2019 11:35 AM **To:** Jackson, Ryan <jackson.ryan@epa.gov>

Cc: Konkus, John < konkus.john@epa.gov >; Lyons, Troy < lyons.troy@epa.gov >; Abboud, Michael

<abboud.michael@epa.gov>; Hewitt, James <a href="mailto:hewitt.james@epa.gov">hewitt.james@epa.gov">hewitt.james@epa.gov</a>; Block, Molly <a href="mailto:heock.molly@epa.gov">heock.molly@epa.gov</a>; Beach,

Christopher <beach.christopher@epa.gov>; Drinkard, Andrea <br/>Drinkard.Andrea@epa.gov>

Subject: Re: PFOA -- heads up

We have a statement drafted that can be tweaked.

Sent from my iPhone

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Ryan Jackson Chief of Staff U.S. EPA

Ex. 6 Personal Privacy (PP)

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Flagging...for awareness.

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Sent: Monday, February 4, 2019 11:11 AM

To: Grantham, Nancy < Grantham. Nancy@epa.gov>; Drinkard, Andrea

<Drinkard.Andrea@epa.gov>; Richardson, RobinH < Richardson.RobinH@epa.gov>

Cc: Kluesner, Dave <kluesner.dave@epa.gov>

Subject: PFOA Importance: High

Hi Nancy, Robin and Andrea,

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From: Kluesner, Dave

**Sent:** Monday, February 4, 2019 9:45 AM **To:** Mears, Mary < <u>Mears.Mary@epa.gov</u>>

Cc: Rini, Sophia <Rini.Sophia@epa.gov>; Romanowski, Larisa

<Romanowski.Larisa@epa.gov>; Kandil, Shereen <Kandil.Shereen@epa.gov>

Subject: this will be of interest to Pete

Importance: High

**ALBANY TIMES UNION** 

# Hoosick Falls environmental advocate to attend State of the Union

February 3, 2019

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"I've seen personally the devastating effects that PFOA chemicals have had on our communities and on families like Michael Hickey's. He is a true hero in what he has done to spur action," a statement from the representative to the Times Union read. "I'm pleased he will join me for the State of the Union as we send a powerful message that this crisis cannot be ignored. I am committed to working with members on both sides of the aisle to take decisive steps to address water contamination. And I will be a strong voice urging the Administration to step up its efforts to protect the health and safety of communities in Upstate New York and across the country."

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# David W. Kluesner

<image001.jpg> <image002.png> <image003.png> <image004.png> <image005.png> <image006.png>

U.S. Environmental Protection Agency, Region 2
Deputy Director, Public Affairs
290 Broadway, 26<sup>th</sup> Floor
New York, NY 10007
212.637.3653 (Office)

Ex. 6 Personal Privacy (PP) (Cell)

From: Wadlington, Christina [Wadlington.Christina@epa.gov]

**Sent**: 2/4/2019 7:29:58 PM

To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]

**Subject**: FW: PFOA -- heads up

Ok all clear.

From: Messier, Dawn

Sent: Monday, February 04, 2019 2:28 PM

To: Wadlington, Christina < Wadlington. Christina@epa.gov>; Darman, Leslie < Darman. Leslie@epa.gov>; Wehling, Carrie

<Wehling.Carrie@epa.gov>
Subject: RE: PFOA -- heads up

FYI – I had nothing to add to Carrie's and Leslie's comments.... Thanks!

Dawn Messier U.S.E.P.A. Office of General Counsel Water Law Office 202-564-5517

From: Wadlington, Christina

Sent: Monday, February 04, 2019 2:21 PM

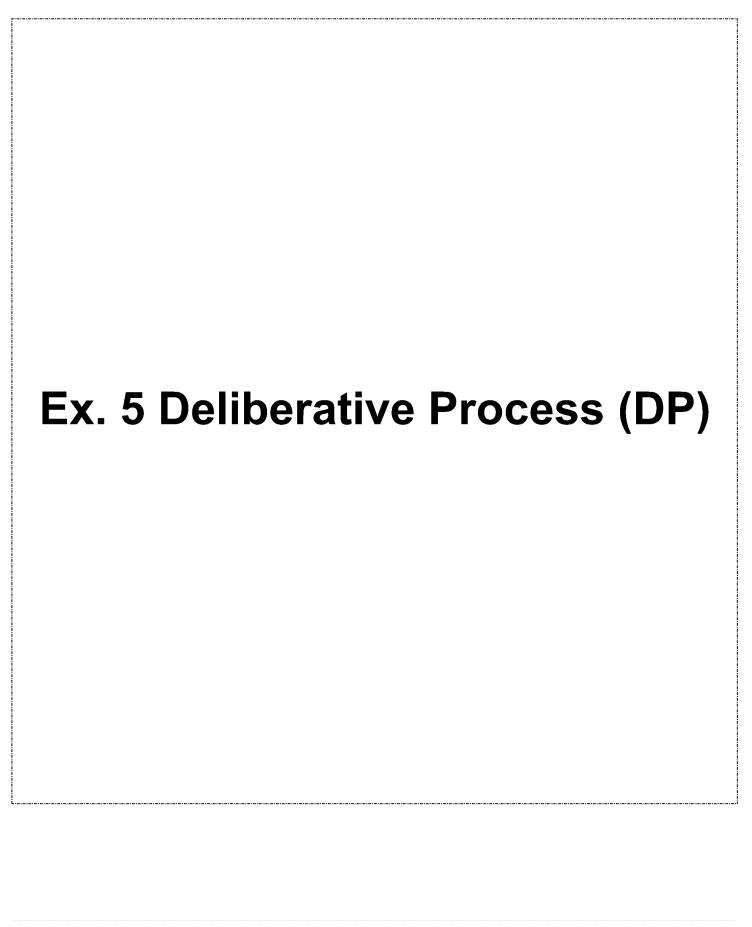
To: Darman, Leslie <Darman.Leslie@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Messier, Dawn

<<u>Messier.Dawn@epa.gov</u>> **Subject:** FW: PFOA -- heads up

Ladies, FYI, here is the statement updated. Note the language for the first paragraph has changed.

\*\*

# Ex. 5 Deliberative Process (DP)



From: Drinkard, Andrea

Sent: Monday, February 04, 2019 2:17 PM

**To:** Ross, David P <<u>ross.davidp@epa.gov</u>>; Wadlington, Christina <<u>Wadlington.Christina@epa.gov</u>>; Mclain, Jennifer <<u>Mclain.Jennifer@epa.gov</u>>

Cc: Kramer, Jessica L. < kramer.jessical@epa.gov>

Subject: FW: PFOA -- heads up

For your consideration here's a draft/deliberative statement for your consideration. Edits welcomed and encouraged.

# Ex. 5 Deliberative Process (DP)

From: Ross, David P

**Sent:** Monday, February 04, 2019 11:35 AM **To:** Jackson, Ryan <<u>jackson.ryan@epa.gov</u>>

Cc: Konkus, John <konkus.john@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Abboud, Michael

<abboud.michael@epa.gov>; Hewitt, James <a href="mailto:hewitt.james@epa.gov">hewitt.james@epa.gov">hewitt.james@epa.gov</a>; Block, Molly <a href="mailto:hewitt.james@epa.gov">hewitt.james@epa.gov</a>; Block and the hewitt.

Christopher <beach.christopher@epa.gov>; Drinkard, Andrea <br/>Orinkard.Andrea@epa.gov>

Subject: Re: PFOA -- heads up

We have a statement drafted that can be tweaked.

Sent from my iPhone

On Feb 4, 2019, at 11:32 AM, Jackson, Ryan < iackson.ryan@epa.gov> wrote:

We need to	Ex. 5 Deliberative Process (DP)
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Ryan Jackson Chief of Staff U.S. EPA Ex. 6 Personal Privacy (PP)

On Feb 4, 2019, at 11:27 AM, Konkus, John < konkus.john@epa.gov> wrote:

Flagging...for awareness.

From: Mears, Mary

Sent: Monday, February 4, 2019 11:11 AM

To: Grantham, Nancy < Grantham. Nancy@epa.gov>; Drinkard, Andrea

<Drinkard.Andrea@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>

Cc: Kluesner, Dave <kluesner.dave@epa.gov>

Subject: PFOA Importance: High

Hi Nancy, Robin and Andrea,

FYI see below related to PFOA and SOTU. We have also just got a media inquiry from NY Newsday asking for a response to a planned media event from Senator Schumer plans today. According to reporter, Senator Schumer will ask EPA to "reverse course on a likely imminent decision to not set drinking water standards for highly toxic chemicals already found on Long Island."

From: Kluesner, Dave

**Sent:** Monday, February 4, 2019 9:45 AM **To:** Mears, Mary <Mears.Mary@epa.gov>

Cc: Rini, Sophia <Rini.Sophia@epa.gov>; Romanowski, Larisa

<Romanowski.Larisa@epa.gov>; Kandil, Shereen <Kandil.Shereen@epa.gov>

Subject: this will be of interest to Pete

Importance: High

**ALBANY TIMES UNION** 

Hoosick Falls environmental advocate to attend State of the Union

February 3, 2019

Hoosick Falls resident Michael Hickey, who exposed toxic chemicals polluting water in his Rensselaer County village, will attend the State of the Union in Washington D.C. Tuesday as the guest of U.S. Rep. Antonio Delgado.

Hickey said he was honored and grateful to be joining Delgado.

"Putting a spotlight on the poisoning of residents of Hoosick Falls and Petersburgh is exactly what we need to spur action on a local and national level," a statement to the Times Union read.

After the death of his father from cancer, Hickey began testing local water for contaminants. He discovered that a toxic chemical PFOA, emitted from factories nearby, polluted water supplies in and around the village of Hoosick Falls.

The Times Union reported the discovery in December 2015. The story also revealed that village and state officials downplayed the problem for more than a year and did not warn residents that the water was unsafe to drink, possibly to protect their efforts to revive the local economy.

Within a week of publication, the U.S. Environmental Protection Agency (EPA) demanded the village warn residents to stop drinking the water. Two months later, the state of New York declared the village would become a Superfund site designated for federally funded clean-up.

In 2016, Hickey **sued two companies** that operated the manufacturing plants which caused the contaminants. He and other Hoosick Falls residents, including mayor Rob Allen elected in 2017, have pushed for compensation and systemic change as the problem persists. A **recent survey** discovered rates of illnesses and cancer caused by pollution were higher than previously estimated.

Delgado, serving his first term as representative for the 19th Congressional District which includes Hoosick Falls, said the situation is **one of his top regional concerns**.

"I've seen personally the devastating effects that PFOA chemicals have had on our communities and on families like Michael Hickey's. He is a true hero in what he has done to spur action," a statement from the representative to the Times Union read. "I'm pleased he will join me for the State of the Union as we send a powerful message that this crisis cannot be ignored. I am committed to working with members on both sides of the aisle to take decisive steps to address water contamination. And I will be a strong voice urging the Administration to step up its efforts to protect the health and safety of communities in Upstate New York and across the country."

Last week, Delgado **sent a letter** to EPA's Acting Administrator Andrew Wheeler urging him to include a commitment to set maximum contaminant levels for the toxic chemicals PFOA and PFAS. Delgado's letter said that the agency's National Management Plan, overdue after a scheduled release in fall 2018, is rumored to not include a maximum level.

Delgado's guest will highlight the issue on a national stage. This year's State of the Union delivered by the President, an annual tradition, was delayed because of the longest shutdown in U.S. history. Speaker of the House Nancy Pelosi refused to invite President Donald Trump to give the speech in the House but conceded after the shutdown was temporarily ended.

Every member of Congress can bring one guest to the event. The President and the Speaker of the House may invite up to 24 guests each in their designated boxes.

Congressman Paul Tonko is bringing Gene Karpinski, president of the League of Conservation Voters and a leading national voice for climate action and environmental advocacy.

Congresswoman Elise Stefanik invited Steve Bowman, an Air Force veteran from Plattsburgh, who is the director of the Clinton County Veterans Services Agency.

Hoosick Falls Mayor Rob Allen, who announced Hickey's invitation on Twitter Saturday, said two other advocates from PFAS contaminated communities will attend the State of the Union address Tuesday.

New Hampshire Senator Jeanne Shaheen invited Andrea Amico from grassroots group "Testing for Pease." According to the organization's website, Amico started advocacy after tests exposed water contamination on Pease Air National Guard Base near Portsmouth in 2014. She was personally affected: her husband was employed for a company on Pease for almost 9 years and both of her children attended daycare there since they were 12 weeks old.

Michigan U.S. Rep. Dan Kildee invited Cathy Wusterbarth. According to his office's press release, Wusterbarth is a resident of Oscoda that surrounds former Wurtsmith Air Force Base. PFAS chemicals from the base seeped into surrounding groundwater wells and pose a threat to drinking water sources in Oscoda and across the country.

Kildee's district also includes Flint, where tests in 2015 confirmed dangerous levels of lead in the town's drinking water.

Delgado told reporters a week after he took office that he is working with Kildee and other representatives of affected districts to champion for clean water.

# David W. Kluesner

<image001.jpg> <image002.png> <image003.png> <image004.png> <image005.png> <image006.png>

U.S. Environmental Protection Agency, Region 2
Deputy Director, Public Affairs
290 Broadway, 26<sup>th</sup> Floor
New York, NY 10007
212.637.3653 (Office)

[Ex. 6 Personal Privacy (PP)] (Cell)

From: Wadlington, Christina [Wadlington.Christina@epa.gov]

**Sent**: 2/4/2019 7:21:35 PM

To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]
CC: Mclain, Jennifer [Mclain.Jennifer@epa.gov]

**Subject**: RE: PFOA -- heads up

Yes, I think we should share the complete one with Ariel. Along with the 1996 paragraph. If it's out there we should send to her with details since she's trade.

From: Drinkard, Andrea

Sent: Monday, February 04, 2019 2:20 PM

To: Wadlington, Christina < Wadlington. Christina@epa.gov>

Cc: Mclain, Jennifer < Mclain. Jennifer@epa.gov>

Subject: RE: PFOA -- heads up

I got the impression that Dave wanted short, but this will come in handy for sure and maybe we would share it with Ariel anyway. Glad to know it's approved by OGC.

From: Wadlington, Christina

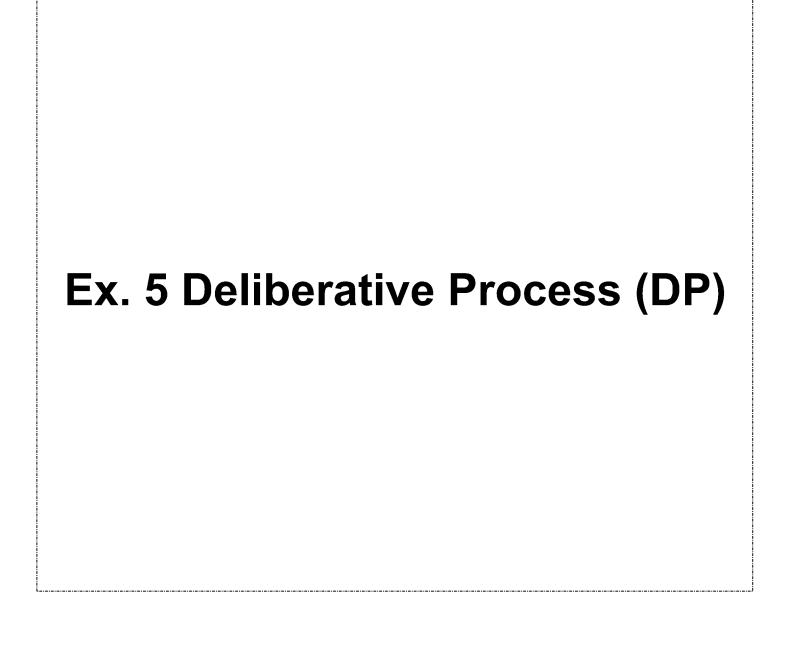
Sent: Monday, February 04, 2019 2:19 PM

To: Drinkard, Andrea < Drinkard. Andrea@epa.gov > Cc: Mclain, Jennifer < Mclain, Jennifer@epa.gov >

Subject: RE: PFOA -- heads up

Provided is the updated background text (if needed) to support the statement. Approved by OGC:

# Ex. 5 Deliberative Process (DP)



From: Drinkard, Andrea

Sent: Monday, February 04, 2019 2:17 PM

To: Ross, David P < ross.davidp@epa.gov >; Wadlington, Christina < Wadlington. Christina@epa.gov >; Mclain, Jennifer

<Mclain.Jennifer@epa.gov>

Cc: Kramer, Jessica L. <a href="mailto:kramer.jessical@epa.gov">kramer.jessical@epa.gov</a>

Subject: FW: PFOA -- heads up

For your consideration here's a draft/deliberative statement for your consideration. Edits welcomed and encouraged.

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<abboud.michael@epa.gov>; Hewitt, James <a href="#">Hewitt.james@epa.gov>; Block, Molly <a href="#">Block, Molly <a href=

Christopher < beach.christopher@epa.gov >; Drinkard, Andrea < Drinkard.Andrea@epa.gov >

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<<u>Drinkard.Andrea@epa.gov</u>>; Richardson, RobinH <<u>Richardson.RobinH@epa.gov</u>>

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Deputy Director, Public Affairs
290 Broadway, 26<sup>th</sup> Floor
New York, NY 10007
212.637.3653 (Office)

Ex. 6 Personal Privacy (PP) (Cell)

From: Wadlington, Christina [Wadlington.Christina@epa.gov]

**Sent**: 2/4/2019 1:17:00 PM

**To**: Drinkard, Andrea [Drinkard.Andrea@epa.gov]

Subject: RE: PFAS Action Plan - Revised Draft per Interagency Comments

Thanks! I'll pass some of these along. Also, we'll work to

Ex. 5 Deliberative Process (DP)

From: Drinkard, Andrea

Sent: Sunday, February 03, 2019 3:34 PM

To: Wadlington, Christina < Wadlington. Christina@epa.gov>

Subject: RE: PFAS Action Plan - Revised Draft per Interagency Comments

Some thoughts from me. You can ignore all of it, if you'd like. I did flag some editorial points, which may be helpful to Ross while they're copy editing. But feel free to ignore those as well. Standing by for comms. Let me know if there's anything else I can do in the interim.

-AD-

From: Wadlington, Christina

Sent: Saturday, February 02, 2019 4:10 PM

To: Drinkard, Andrea < Drinkard. Andrea@epa.gov>

Subject: Fwd: PFAS Action Plan - Revised Draft per Interagency Comments

Sent from my iPhone

Begin forwarded message:

From: "Mclain, Jennifer" < Mclain.Jennifer@epa.gov>

To: "Burneson, Eric" <Burneson.Eric@epa.gov>, "Albert, Ryan" <Albert.Ryan@epa.gov>, "Wadlington,

Christina" < <u>Wadlington.Christina@epa.gov</u>>
Cc: "Tiago, Joseph" < <u>Tiago, Joseph@epa.gov</u>>

Subject: FW: PFAS Action Plan - Revised Draft per Interagency Comments

Many thanks!!!!

I will send the comment response version in a bit.

From: Mclain, Jennifer

Sent: Saturday, February 02, 2019 2:19 PM

To: Ross, David P <ross.davidp@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>; Bodine, Susan

<bodine.susan@epa.gov>; Dunn, Alexandra <dunn.alexandra@epa.gov>; Bolen, Brittany

<br/><bolen.brittany@epa.gov>; Dunlap, David <dunlap.david@epa.gov>; Wright, Peter

<wright.peter@epa.gov>; Leopold, Matt (OGC) <<u>Leopold.Matt@epa.gov</u>>; Breen, Barry

<Breen.Barry@epa.gov>; Lopez, Peter <lopez.peter@epa.gov>; Servidio, Cosmo

<servidio.cosmo@epa.gov>; Stepp, Cathy <stepp.cathy@epa.gov>; Idsal, Anne <idsal.anne@epa.gov>;

Benevento, Douglas < benevento.douglas@epa.gov >; Stoker, Michael B. < stoker.michael@epa.gov >;

Gulliford, Jim <gulliford.jim@epa.gov>; Hladick, Christopher <hladick.christopher@epa.gov>; Szaro, Deb

<<u>Szaro.Deb@epa.gov</u>>; Mugdan, Walter < Mugdan. Walter@epa.gov>; Rodrigues, Cecil

<<u>rodrigues.cecil@epa.gov</u>>; Walker, Mary <<u>walker.mary@epa.gov</u>>; Newton, Cheryl <<u>Newton.Cheryl@epa.gov</u>>; Gray, David <<u>gray.david@epa.gov</u>>; Chu, Ed <<u>Chu.Ed@epa.gov</u>>; Thomas, Deb <<u>thomas.debrah@epa.gov</u>>; Jordan, Deborah <<u>Jordan.Deborah@epa.gov</u>>; Pirzadeh, Michelle <<u>Pirzadeh.Michelle@epa.gov</u>>; Thiede, Kurt <<u>thiede.kurt@epa.gov</u>>; Orme-Zavaleta, Jennifer <<u>Orme-Zavaleta</u>.Jennifer@epa.gov>

Subject: PFAS Action Plan - Revised Draft per Interagency Comments

Internal/Deliberative/Close hold

Hello,

Attached is the revised EPA PFAS Action Plan. Many thanks to all of your staffs for their significant input during the development of the Plan and particularly for their very quick turn-around of edits in response to interagency comments. This is for your awareness and any final revisions by Monday morning. Note that we will be working in parallel to clean-up and re-format the document so you do not need to focus on those details.

Many thanks to the OGWDW staff that have diligently worked to edit and collate revisions to this document. Our goal is to provide the revised plan and the comment response documents to OMB by late Monday. The OP has already set up initial OMB discussions for Tuesday (OMB only) and Wednesday (interagency partners). Please let me know if you would like to review the comment response documents and I will send separately.

Best, Jennifer

Jennifer L McLain
Acting Director
Office of Ground Water and Drinking Water
U.S. EPA
202-564-4029

From: Fligger, Karen [Fligger.Karen@epa.gov]

**Sent**: 12/17/2018 3:31:42 PM

To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]

Subject: RE: Jan 28 WIFIA Event in Baltimore

I set up a time for this afternoon. We need to make sure that we are keeping Wendy in the loop too.

\*\*\*\*\*\*\*\*\*\*

Karen Fligger
Senior Project Manager, <u>WIFIA Program</u>
US EPA, Office of Wastewater Management
202-564-2992

EX.6 Personal Privacy (PP) (Cell)

From: Drinkard, Andrea

Sent: Friday, December 14, 2018 5:48 PM
To: Fligger, Karen <Fligger.Karen@epa.gov>
Subject: Fwd: Jan 28 WIFIA Event in Baltimore

Let's chat on Monday about how to coordinate with the Mayor's office.

# Begin forwarded message:

From: "Lyons, Troy" < iyons.troy@epa.gov>
Date: December 14, 2018 at 4:31:27 PM EST

To: "Jackson, Ryan" <<u>jackson.ryan@epa.gov</u>>, "Ross, David P" <<u>ross.davidp@epa.gov</u>>, "Bennett, Tate"

<<u>Bennett.Tate@epa.gov</u>>, "Konkus, John" <<u>konkus.john@epa.gov</u>>

Cc: "Richardson, RobinH" <Richardson.RobinH@epa.gov>, "Grantham, Nancy"

<<u>Grantham.Nancy@epa.gov</u>>, "Drinkard, Andrea" <<u>Drinkard.Andrea@epa.gov</u>>, "Palich, Christian" <<u>palich.christian@epa.gov</u>>, "Frye, Tony (Robert)" <<u>frye.robert@epa.gov</u>>, "Gordon, Stephen" <<u>gordon.stephen@epa.gov</u>>, "Humphreys, Hayly" <<u>humphreys.hayly@epa.gov</u>>, "Molina, Michael" <<u>molina.michael@epa.gov</u>>, "Forsgren, Lee" <<u>Forsgren,Lee@epa.gov</u>>, "Kaiser, Sven-Erik" <<u>Kaiser, Sven-Erik@epa.gov</u>>, "Klasen, Matthew" <<u>Klasen, Matthew@epa.gov</u>>

Subject: Jan 28 WIFIA Event in Baltimore

## Team-

We have locked in **10:00 AM** on **Monday, January 28** to hold the WIFIA signing ceremony in Baltimore with Senator Cardin. There is a lot of external stakeholder engagement so we need to all coordinate to ensure this is a successful event. I suggest we have representatives from OCIR, OW, OPEE, and OPA meet in short order to discuss the planning and execution of the event.

# **Topics of Discussion**

- 1. Logistics
  - a. Location
  - b. Run of Show
- 2. Invitees
  - a. Participants

# 3. Press Strategy

Troy M. Lyons

Associate Administrator
Office of Congressional & Intergovernmental Relations
U.S. Environmental Protection Agency

Ex. 6 Personal Privacy (PP) (Cell)

From: Sawyers, Andrew [Sawyers.Andrew@epa.gov]

**Sent**: 12/14/2018 10:44:36 PM

**To**: Forsgren, Lee [Forsgren.Lee@epa.gov]

CC: Drinkard, Andrea [Drinkard.Andrea@epa.gov]

Subject: Re: Jan 28 WIFIA Event in Baltimore

Will do Lee. Thanks

Sent from my iPhone

On Dec 14, 2018, at 5:34 PM, Forsgren, Lee < Forsgren, Lee@epa.gov> wrote:

Let's get started on this event next week.

Sent from my iPhone

Begin forwarded message:

From: "Lyons, Troy" < iyons.troy@epa.gov>
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Cc: "Richardson, RobinH" <<u>Richardson.RobinH@epa.gov</u>>, "Grantham, Nancy"

<<u>Grantham.Nancy@epa.gov</u>>, "Drinkard, Andrea" <<u>Drinkard.Andrea@epa.gov</u>>, "Palich, Christian" <<u>palich.christian@epa.gov</u>>, "Frye, Tony (Robert)" <<u>frye.robert@epa.gov</u>>,

"Gordon, Stephen" < gordon.stephen@epa.gov >, "Humphreys, Hayly"

< humphreys.hayly@epa.gov>, "Molina, Michael" < molina.michael@epa.gov>,

"Forsgren, Lee" < Forsgren, Lee@epa.gov >, "Kaiser, Sven-Erik" < Kaiser, Sven-Erik@epa.gov >, "Klasen, Matthew" < Klasen, Matthew@epa.gov >

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# Troy M. Lyons

Associate Administrator
Office of Congressional & Intergovernmental Relations
U.S. Environmental Protection Agency

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From: Wadlington, Christina [Wadlington.Christina@epa.gov]

**Sent**: 2/2/2019 9:10:07 PM

**To**: Drinkard, Andrea [Drinkard.Andrea@epa.gov]

**Subject**: Fwd: PFAS Action Plan - Revised Draft per Interagency Comments

Attachments: PFAS Action Plan 02.2.19 DraftClean.docx; ATT00001.htm; PFAS Action Plan 02.2.19 DraftClean.pdf; ATT00002.htm

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<bolen.brittany@epa.gov>; Dunlap, David <dunlap.david@epa.gov>; Wright, Peter

<wright.peter@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Breen, Barry

<Breen.Barry@epa.gov>; Lopez, Peter <lopez.peter@epa.gov>; Servidio, Cosmo

<servidio.cosmo@epa.gov>; Stepp, Cathy <stepp.cathy@epa.gov>; Idsal, Anne <idsal.anne@epa.gov>;

Benevento, Douglas < benevento.douglas@epa.gov >; Stoker, Michael B. < stoker.michael@epa.gov >;

Gulliford, Jim <gulliford.jim@epa.gov>; Hladick, Christopher <hladick.christopher@epa.gov>; Szaro, Deb

<Szaro.Deb@epa.gov>; Mugdan, Walter < Mugdan.Walter@epa.gov>; Rodrigues, Cecil

<rodrigues.cecil@epa.gov>; Walker, Mary <walker.mary@epa.gov>; Newton, Cheryl

<<u>Newton.Cheryl@epa.gov</u>>; Gray, David <<u>gray.david@epa.gov</u>>; Chu, Ed <<u>Chu.Ed@epa.gov</u>>; Thomas,

Deb <<u>thomas.debrah@epa.gov</u>>; Jordan, Deborah <<u>Jordan.Deborah@epa.gov</u>>; Pirzadeh, Michelle

< Pirzadeh. Michelle@epa.gov>; Thiede, Kurt < thiede.kurt@epa.gov>; Orme-Zavaleta, Jennifer < Orme-

Zavaleta.Jennifer@epa.gov>

Subject: PFAS Action Plan - Revised Draft per Interagency Comments

Internal/Deliberative/Close hold

Hello,

Attached is the revised EPA PFAS Action Plan. Many thanks to all of your staffs for their significant input during the development of the Plan and particularly for their very quick turn-around of edits in response to interagency comments. This is for your awareness and any final revisions by Monday morning. Note that we will be working in parallel to clean-up and re-format the document so you do not need to focus on those details.

Many thanks to the OGWDW staff that have diligently worked to edit and collate revisions to this document. Our goal is to provide the revised plan and the comment response documents to OMB by late Monday. The OP has already set up initial OMB discussions for Tuesday (OMB only) and Wednesday (interagency partners). Please let me know if you would like to review the comment response documents and I will send separately.

Best, Jennifer

Jennifer L McLain Acting Director Office of Ground Water and Drinking Water U.S. EPA 202-564-4029

From: Aguirre, Janita [Aguirre.Janita@epa.gov]

**Sent**: 1/31/2019 1:11:18 PM

To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]

**CC**: Wadlington, Christina [Wadlington.Christina@epa.gov]

**Subject**: RE: Proposed PMP Tick Tock

I'll make the copies. Crystal P is here, and I'll ask her to add it to the calendar.

Thank you, Janita

Janita Aguirre - Special Assistant

U.S. Environmental Protection Agency | Office of Water Phone: (202) 566-1149 | Email: aguirre.janita@epa.gov

From: Drinkard, Andrea

**Sent:** Thursday, January 31, 2019 8:10 AM **To:** Aguirre, Janita < Aguirre. Janita@epa.gov>

Cc: Wadlington, Christina < Wadlington. Christina@epa.gov>

Subject: Fwd: Proposed PMP Tick Tock

Hi Janita,

Since I'm going to be getting in right before the 11:30 meeting with Dave, could you make a few copies?

Also, I don't see it on the calendar yet. Any chance you could add it or check with Crystal? Im not sure what staffing looks like today ©

Begin forwarded message:

From: "Wadlington, Christina" < Wadlington. Christina@epa.gov>

Date: January 31, 2019 at 7:55:35 AM EST

To: "Mclain, Jennifer" < Mclain.Jennifer@epa.gov>, "Drinkard, Andrea" < Drinkard.Andrea@epa.gov>

Subject: RE: Proposed PMP Tick Tock

For today's meeting.

From: Mclain, Jennifer

Sent: Wednesday, January 30, 2019 4:45 PM

To: Wadlington, Christina < Wadlington. Christina@epa.gov>

Cc: Drinkard, Andrea < Drinkard. Andrea@epa.gov>

Subject: RE: Proposed PMP Tick Tock

Great Thanks!

From: Wadlington, Christina

Sent: Wednesday, January 30, 2019 4:24 PM

To: Mclain, Jennifer < <a href="Mclain.Jennifer@epa.gov">Mcc: Drinkard, Andrea <a href="Mclain.Jennifer@epa.gov">Drinkard, Andrea@epa.gov</a>>
Subject: Proposed PMP Tick Tock

FYI, final run down from Andrea and I for tomorrow.

# Materials: Ex. 5 Deliberative Process (DP) Ex. 5 Deliberative Process (DP) The second of the seco

- +1 Day After Release
  - Ex. 5 Deliberative Process (DP)

From: Wadlington, Christina [Wadlington.Christina@epa.gov]

**Sent**: 1/31/2019 12:55:35 PM

To: Mclain, Jennifer [Mclain.Jennifer@epa.gov]; Drinkard, Andrea [Drinkard.Andrea@epa.gov]

Subject: RE: Proposed PMP Tick Tock
Attachments: Action Plan\_Tick\_Tock.docx

For today's meeting.

From: Mclain, Jennifer

Sent: Wednesday, January 30, 2019 4:45 PM

To: Wadlington, Christina < Wadlington. Christina@epa.gov>

Cc: Drinkard, Andrea < Drinkard. Andrea@epa.gov>

Subject: RE: Proposed PMP Tick Tock

Great Thanks!

From: Wadlington, Christina

Sent: Wednesday, January 30, 2019 4:24 PM

To: Mclain, Jennifer < Mclain, Jennifer@epa.gov >
Cc: Drinkard, Andrea@epa.gov >

**Subject:** Proposed PMP Tick Tock

FYI, final run down from Andrea and I for tomorrow.

# Materials:

- Ex. 5 Deliberative Process (DP)
- -2 to -3 Days Before Release
  - Ex. 5 Deliberative Process (DP)
- -1 Day Before Release
  - Ex. 5 Deliberative Process (DP)

Release Date: Ex. 5 Deliberative Process (DP)

- Ex. 5 Deliberative Process (DP)
- AM:
  - Ex. 5 Deliberative Process (DP)
- Noon: Ex. 5 Deliberative Process (DP)
- Ex. 5 Deliberative Process (DP)
- PM: Ex. 5 Deliberative Process (DP)

•	PM: Ex. 5 Deliberative Process (DP)
•	Ex. 5 Deliberative Process (DP)

# +1 Day After Release

Ex. 5 Deliberative Process (DP)

From: Ross, David P [ross.davidp@epa.gov]

**Sent**: 2/2/2019 8:23:32 PM

**To**: Drinkard, Andrea [Drinkard.Andrea@epa.gov]

CC: Wildeman, Anna [wildeman.anna@epa.gov]; Forsgren, Lee [Forsgren.Lee@epa.gov]; Best-Wong, Benita [Best-

Wong.Benita@epa.gov]; McDonough, Owen [mcdonough.owen@epa.gov]; Kramer, Jessica L.

[kramer.jessical@epa.gov]

Subject: Fwd: PFAS Action Plan - Revised Draft per Interagency Comments

Attachments: PFAS Action Plan\_02.2.19 DraftClean.docx; ATT00001.htm; PFAS Action Plan\_02.2.19 DraftClean.pdf; ATT00002.htm

FYI. Most recent draft.

Sent from my iPhone

Begin forwarded message:

From: "Mclain, Jennifer" < Mclain.Jennifer@epa.gov>

To: "Ross, David P" < ross.davidp@epa.gov >, "Wehrum, Bill" < Wehrum.Bill@epa.gov >, "Bodine, Susan"

<bodine.susan@epa.gov>, "Dunn, Alexandra" <dunn.alexandra@epa.gov>, "Bolen, Brittany"

<br/><bolen.brittany@epa.gov>, "Dunlap, David" <dunlap.david@epa.gov>, "Wright, Peter"

<wright.peter@epa.gov>, "Leopold, Matt (OGC)" <Leopold.Matt@epa.gov>, "Breen, Barry"

<<u>Breen.Barry@epa.gov</u>>, "Lopez, Peter" <<u>lopez.peter@epa.gov</u>>, "Servidio, Cosmo"

<<u>Servidio.Cosmo@epa.gov</u>>, "Stepp, Cathy" <<u>stepp.cathy@epa.gov</u>>, "Idsal, Anne"

<idsal.anne@epa.gov>, "Benevento, Douglas" <benevento.douglas@epa.gov>, "Stoker, Michael B."

<stoker.michael@epa.gov>, "Gulliford, Jim" <gulliford.jim@epa.gov>, "Hladick, Christopher"

<hladick.christopher@epa.gov>, "Szaro, Deb" <Szaro.Deb@epa.gov>, "Mugdan, Walter"

< Mugdan. Walter@epa.gov>, "Rodrigues, Cecil" < rodrigues.cecil@epa.gov>, "Walker, Mary"

<walker.mary@epa.gov>, "Newton, Cheryl" <Newton.Cheryl@epa.gov>, "Gray, David"

<gray.david@epa.gov>, "Chu, Ed" <Chu.Ed@epa.gov>, "Thomas, Deb" <thomas.debrah@epa.gov>,

"Jordan, Deborah" < Jordan. Deborah@epa.gov>, "Pirzadeh, Michelle" < Pirzadeh. Michelle@epa.gov>,

"Thiede, Kurt" <thiede.kurt@epa.gov>, "Orme-Zavaleta, Jennifer" <Orme-ZavaletaJennifer@epa.gov>

Subject: PFAS Action Plan - Revised Draft per Interagency Comments

Internal/Deliberative/Close hold

Hello,

Attached is the revised EPA PFAS Action Plan. Many thanks to all of your staffs for their significant input during the development of the Plan and particularly for their very quick turn-around of edits in response to interagency comments. This is for your awareness and any final revisions by Monday morning. Note that we will be working in parallel to clean-up and re-format the document so you do not need to focus on those details.

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Best, Jennifer Jennifer L McLain Acting Director Office of Ground Water and Drinking Water U.S. EPA 202-564-4029 From: Wadlington, Christina [Wadlington.Christina@epa.gov]

**Sent**: 1/30/2019 9:17:10 PM

To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]

**Subject**: FW: Proposed PMP Tick Tock

# Materials:

- Ex. 5 Deliberative Process (DP)
- -2 to -3 Days Before Release
  - Ex. 5 Deliberative Process (DP)
- -1 Day Before Release
  - Ex. 5 Deliberative Process (DP)

Release Date: Ex. 5 Deliberative Process (DP)

AM:

Ex. 5 Deliberative Process (DP)

- Noon: Ex. 5 Deliberative Process (DP)
- DM Ex. 5 Deliberative Process (DP)
- Ex. 5 Deliberative Process (DP)
- +1 Day After Release
  - Ex. 5 Deliberative Process (DP)

From: Drinkard, Andrea

Sent: Wednesday, January 30, 2019 3:55 PM

To: Wadlington, Christina < Wadlington. Christina@epa.gov>

Subject: RE: Proposed PMP Tick Tock

I don't see why not. Timing is probably important here. When would you want it?

From: Wadlington, Christina

**Sent:** Wednesday, January 30, 2019 3:53 PM **To:** Drinkard, Andrea <a href="mailto:Andrea@epa.gov">Drinkard.Andrea@epa.gov</a>

**Subject:** FW: Proposed PMP Tick Tock

On the phone with Jennifer, can we set up a meeting with Dave just about the tick tock and the release?

From: Wadlington, Christina

Sent: Wednesday, January 30, 2019 10:49 AM

**To:** Mclain, Jennifer < <a href="Mclain.Jennifer@epa.gov">Mclain, Jennifer@epa.gov">Mclain, Jennifer@epa.gov</a>>; Drinkard, Andrea < <a href="Mclain.Jennifer@epa.gov">Drinkard, Andrea@epa.gov</a>> <a href="Mclain.Jennifer@epa.gov">Subject: Proposed PMP Tick Tock</a>

For your consideration/edits

## Materials:

- Ex. 5 Deliberative Process (DP)
- -2 to -3 Days Before Release
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  - Ex. 5 Deliberative Process (DP)

Release Date: Ex. 5 Deliberative Process (DP)

- Ex. 5 Deliberative Process (DP)
- +1 Day After Release
  - Ex. 5 Deliberative Process (DP)

From: Wadlington, Christina [Wadlington.Christina@epa.gov]

**Sent**: 1/30/2019 8:58:25 PM

To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]

**Subject**: RE: Proposed PMP Tick Tock

How about tomorrow? Would that work? Before we meet with Regions in the afternoon.

From: Drinkard, Andrea

Sent: Wednesday, January 30, 2019 3:55 PM

To: Wadlington, Christina < Wadlington. Christina@epa.gov>

Subject: RE: Proposed PMP Tick Tock

I don't see why not. Timing is probably important here. When would you want it?

From: Wadlington, Christina

**Sent:** Wednesday, January 30, 2019 3:53 PM **To:** Drinkard, Andrea <a href="mailto:Andrea@epa.gov">Drinkard, Andrea@epa.gov</a>

Subject: FW: Proposed PMP Tick Tock

On the phone with Jennifer, can we set up a meeting with Dave just about the tick tock and the release?

From: Wadlington, Christina

Sent: Wednesday, January 30, 2019 10:49 AM

To: Mclain, Jennifer < Mclain.Jennifer@epa.gov >; Drinkard, Andrea < Drinkard.Andrea@epa.gov >

Subject: Proposed PMP Tick Tock

For your consideration/edits

## Materials:

- Ex. 5 Deliberative Process (DP)
- -2 to -3 Days Before Release
  - Ex. 5 Deliberative Process (DP)
- -1 Day Before Release
  - Ex. 5 Deliberative Process (DP)

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Release Date: Ex. 5 Deliberative Process (DP)
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- AM: Ex. 5 Deliberative Process (DP)
- Noon: Ex. 5 Deliberative Process (DP)
- PM: Ex. 5 Deliberative Process (DP)

•	Ex. 5 Deliberative Process (DP)
	<b>,</b>

- +1 Day After Release
  - Ex. 5 Deliberative Process (DP)

From: Dennis, Allison [Dennis.Allison@epa.gov]

**Sent**: 8/30/2018 9:18:56 PM

To: Wildeman, Anna [wildeman.anna@epa.gov]

CC: Drinkard, Andrea [Drinkard.Andrea@epa.gov]; Rose, Bob [Rose.Bob@epa.gov]

**Subject**: For your review: Water Subcabinet Comms Materials

Attachments: Federal Partners Launch Water Subcabinet\_PR\_v2.docx; Federal Water Subcabinet\_factsheet\_v1.docx;

FedSubWaterCabPressCall RUNofSHOWv2.docx; WaterSubCab Media Advisory.docx; Federal Water Subcabinet -

Roll-Out Plan\_v2 (002).docx; FedSubWaterCabPressCall\_RUNofSHOWv2.docx

Hi Anna, for your review I have attached our first take at the press release, media advisory, press call, and potential fact sheet. Upon further reflection, I think we should **Ex. 5 Deliberative Process (DP)** 

# Ex. 5 Deliberative Process (DP)

I also attached our current comms plan for reference. I'll set up a time for the four of us to discuss our press strategy soon.

Allison Dennis
Deputy Communications Director
Office of Water
U.S. Environmental Protection Agency

Office: 202-564-1985
Cell: Ex. 6 Personal Privacy (PP)
Dennis.Allison@epa.gov

Campbell, Ann [Campbell.Ann@epa.gov] From:

10/25/2018 1:38:06 PM Sent:

To: Wildeman, Anna [wildeman.anna@epa.gov]; Dennis, Allison [Dennis.Allison@epa.gov]; Forsgren, Lee

[Forsgren.Lee@epa.gov]

CC: Drinkard, Andrea [Drinkard.Andrea@epa.gov]

Subject: RE: For tomorrow's planning meeting: Overview of upcoming comms and other hot actions

One other thing to mention that may be appropriate is

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP) I've sent an email to the front office but it may be good to double down on this request.

Ann Campbell

Chief of Staff (acting)

Office of Water

From: Wildeman, Anna

Sent: Thursday, October 25, 2018 8:14 AM

To: Dennis, Allison < Dennis. Allison@epa.gov>; Forsgren, Lee < Forsgren.Lee@epa.gov>

Cc: Campbell, Ann <Campbell.Ann@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>

Subject: RE: For tomorrow's planning meeting: Overview of upcoming comms and other hot actions

# Allison,

This would be very helpful to have updated weekly for us. Please please please make sure that our version is never accidently sent to the larger group!

Thanks for pulling this together quickly.

Anna

From: Dennis, Allison

Sent: Wednesday, October 24, 2018 4:42 PM

To: Wildeman, Anna <wildeman.anna@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov> Cc: Campbell, Ann <a href="mailto:Campbell.Ann@epa.gov">Campbell.Ann@epa.gov</a>; Drinkard, Andrea <a href="mailto:Campbell.Ann@epa.gov">Crinkard, Andrea <a href="mailto:Campbell.Ann.Qepa.gov">Crinkard, Ann.Qepa.gov</a></a> Subject: For tomorrow's planning meeting: Overview of upcoming comms and other hot actions

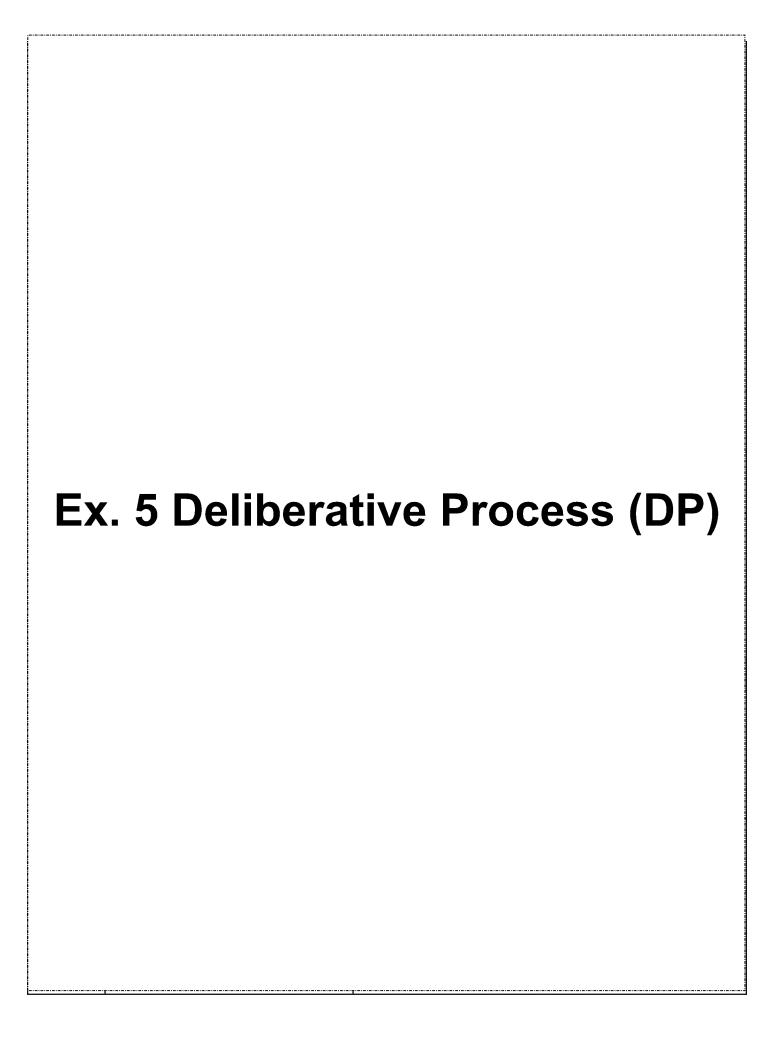
For your consideration.

As a supplement to the "heart attack" excel list WPS manages, would the OW Comms-managed weekly press planner be helpful for your Thursday morning weekly planning meetings? Below is the press planner we distribute on a weekly basis to OPA, our regional counterparts, and OW comms leads. For your Thursday morning weekly meeting purposes, I have added a special supplement to our weekly planner –for your eyes only- that outlines some of upcoming, close-hold announcements. This "Other Hot Actions" section could be updated weekly using intel gathered from IO sources (Sr. leadership, Ann, Andrea, etc.).

-Allison

Date Action Description

# Ex. 5 Deliberative Process (DP)



# Ex. 5 Deliberative Process (DP)

Allison Dennis
Deputy Communications Director
Office of Water
U.S. Environmental Protection Agency

Office: 202-564-1985
Cell: Ex. 6 Personal Privacy (PP)
Dennis. Allison@epa.gov

From: Subramanian, Hema [Subramanian.Hema@epa.gov]

**Sent**: 8/28/2018 10:11:34 PM

**To**: Drinkard, Andrea [Drinkard.Andrea@epa.gov]

CC: Grantham, Nancy [Grantham.Nancy@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]

Subject: Re: WOTUS: Status Update Roll-Out

Got it! Np.

-----

Hema Subramanian
Office of the Administrator
U.S. Environmental Protection Agency

Washington, DC office: (202) 564-5041

OTTICE: (202) 554-5041
Cell: Ex. 6 Personal Privacy (PP)

On Aug 28, 2018, at 6:10 PM, Drinkard, Andrea < Drinkard. Andrea@epa.gov > wrote:

Yes, close hold till the times noted. Thanks for your help!

On Aug 28, 2018, at 6:00 PM, Subramanian, Hema < Subramanian. Hema@epa.gov> wrote:

Hi Andrea! Yes I can do Regional Ag Advisor notifications at 10:30. I assume keep a close hold until then?

I can also help with external notifications at 2:45, or per final schedule...

--Hema.

Hema Subramanian
Office of the Administrator
U.S. Environmental Protection Agency

Washington, DC office: (202) 564-5041 cell: Ex. 6 Personal Privacy (PP)

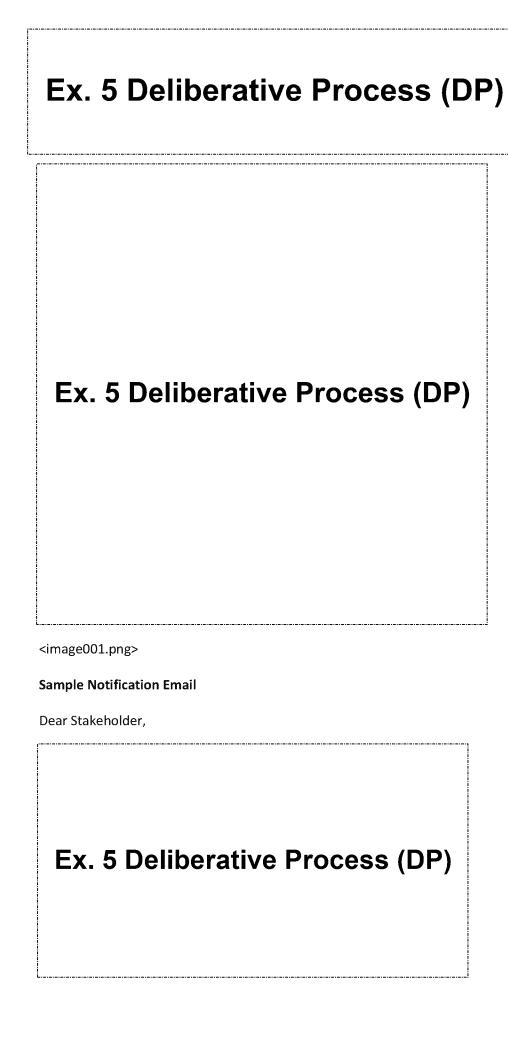
On Aug 28, 2018, at 5:08 PM, Drinkard, Andrea < <u>Drinkard.Andrea@epa.gov</u>> wrote:

Hi Nancy et al,

The Acting Administrator has approved of us moving forward with our web update and notifications tomorrow. I'm including the approved web language below. I am also including a draft email (below the map) that can be used for notifications. Please let me know if anyone has any last minute edits by 9:00AM tomorrow. Fatal flaws only.

Here's what I recommend for a tick tock:

Ex. 5 Deliberative Process (DP)





From: Subramanian, Hema [Subramanian.Hema@epa.gov]

Sent: 8/28/2018 10:00:27 PM

**To**: Drinkard, Andrea [Drinkard.Andrea@epa.gov]

CC: Grantham, Nancy [Grantham.Nancy@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]

Subject: Re: WOTUS: Status Update Roll-Out

Hi Andrea! Yes I can do Regional Ag Advisor notifications at 10:30. I assume keep a close hold until then?

I can also help with external notifications at 2:45, or per final schedule...

--Hema.

\_\_\_\_\_\_

Hema Subramanian
Office of the Administrator
U.S. Environmental Protection Agency
Washington, DC

office: (202) 564-5041
Cell: [Ex. 6 Personal Privacy (PP)]

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Here's what I recommend for a tick tock:

## Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

#### **Sample Notification Email**

Dear Stakeholder,

Ex. 5 Deliberative Process (DP)

From: Grantham, Nancy [Grantham.Nancy@epa.gov]

**Sent**: 9/18/2019 6:09:35 PM

To: Regional Public Affairs Directors [Regional Public Affairs Directors@epa.gov]

Subject: FW: 3Ts MOU announcement plan --

This is still being discussed – however thought it would be useful since we have been discussing these 2 issues – list of MOU partners if below.

Thanks ng

From: Drinkard, Andrea < Drinkard. Andrea@epa.gov> Sent: Wednesday, September 18, 2019 2:06 PM

**To:** Grantham, Nancy <Grantham.Nancy@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Block, Molly <block.molly@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Risley, David <Risley.David@epa.gov>; Dennis, Allison <Dennis.Allison@epa.gov>; Wadlington, Christina <Wadlington.Christina@epa.gov>; Kasper, Amanda <Kasper.Amanda@epa.gov>; Carter, Brittany S. <carter.brittanys@epa.gov>

Subject: 3Ts MOU announcement plan -- for discussion

Hi all-

We discussed with each of you on different occasions the plan for announcing a new 3Ts Memorandum of Understanding (MOU) that will support 

Ex. 5 Deliberative Process (DP)

Basically, the MOU provides a framework for Ex. 5 Deliberative Process (DP)

### Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

Please let me know if you have thoughts on this approach.

Thanks!

The MOU will be signed at the AA level, not at the Administrator/Secretary level by the following agencies/departments/organizations.

- U.S. Environmental Protection Agency, Office of Water
- U.S. Department of Agriculture, Office of Rural Development
- U.S. Department of Education, Office of Safe and Supportive Schools
- U.S. Department of Health and Human Services Centers for Disease Control and Prevention, Indian Health Service, and Head Start Program
- U.S. Department of the Interior Bureau of Indian Affairs and Bureau of Indian Education

American Water Works Association

American School Health Association

Association of Metropolitan Water Agencies

Association of State Drinking Water Administrators

Inter Tribal Council of Arizona, Inc.

National Association of Water Companies

National Rural Water Association

**Rural Community Assistance Partnership** 

United South and Eastern Tribes

Andrea Drinkard Senior Advisor EPA Office of Public Affairs Desk: 202.564.1601

Cell: Ex. 6 Personal Privacy (PP)

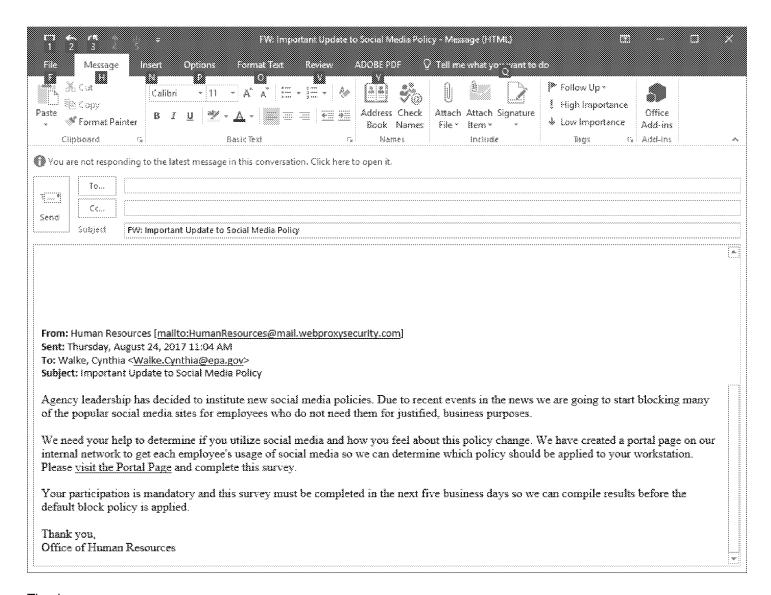
From: Dollison, Lawrence A. [Dollison.Larry@epa.gov]

**Sent**: 8/24/2017 4:57:13 PM

Subject: Important Update to Social Media Policy " Please Read "

#### Good Afternoon OAR Users,

If you received and email with the content of the screenshot below please mark as SPAM or just delete. CSIRC has verified this is a Phishing attempt and they are working with NCC to block at the firewall. If you have clicked on the Link please report to me ASAP, CSIRC will want to Scan you system to verify no malicious content was installed.



Thanks, Larry Dollison USEPA\_OAR\_IO\_OPMO ISO / IT Specialist dollison.larry@epa.gov MC 6102A WJC North 6358 G (202)564-1325 (W) Ex. 6 Personal Privacy (PP) (C)

WARNING – INFORMATION CONTAINED HEREIN MAY INCLUDE SENSITIVE AND/OR PRIVACY ACT INFORMATION; THE FURTHER DISTRIBUTION OF WHICH (BEYOND THE RECIPIENTS TO WHOM IT HAS BEEN ADDRESSED) MAY BE IN VIOLATION OF FEDERAL INFORMATION SECURITY REGULATIONS, CIVIL AND/OR CRIMINAL LAW WITHOUT THE EXPRESSED PRIOR WRITTEN CONSENT TO RELEASE AND/OR DISSEMINATE FURTHER BY THE U.S. EPA. IF YOU ARE NOT THE INTENDED RECIPIENT PLEASE CONTACT THE SENDER BY REPLY E-MAIL AND DESTROY ALL COPIES OF THE ORIGINAL MESSAGE AND ATTACHMENTS.

From: Glenn, William [Glenn.William@epa.gov]

**Sent**: 9/3/2019 4:55:30 PM

To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]

Subject: RE: WOTUS event

Okay to share these on a close-hold basis with our state partners in Thursday's event?

Bill Glenn
Acting Director
Office of Public Affairs
U.S. EPA, Pacific Southwest
glenn.william@epa.gov / (415) 947-4254

From: Drinkard, Andrea < Drinkard. Andrea@epa.gov>

Sent: Tuesday, September 3, 2019 7:52 AM

To: Carey, Curtis <Carey.Curtis@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>

**Cc:** Regional Public Affairs Directors < Regional\_Public\_Affairs\_Directors@epa.gov>; Murdie, Ashley <murdie.ashley@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Schiermeyer, Corry

<schiermeyer.corry@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>

Subject: RE: WOTUS event

Here are updated talking points. We are continuing to work on other documents and hope to have drafts to folks ASAP.

From: Carey, Curtis < <u>Carey.Curtis@epa.gov</u>>
Sent: Tuesday, September 03, 2019 10:49 AM

**To:** Drinkard, Andrea < <u>Drinkard.Andrea@epa.gov</u>>; Grantham, Nancy < <u>Grantham.Nancy@epa.gov</u>> **Cc:** Regional Public Affairs Directors < <u>Regional Public Affairs Directors@epa.gov</u>>; Murdie, Ashley

<murdie.ashley@epa.gov>
Subject: RE: WOTUS event

We're trying to schedule the prebrief with the RA. Do you know when we'll receive the messaging documents?

From: Drinkard, Andrea < Drinkard. Andrea@epa.gov>

**Sent:** Tuesday, September 03, 2019 9:44 AM **To:** Nitsch, Chad < <u>Nitsch.Chad@epa.gov</u>>

**Cc:** Regional Public Affairs Directors < Regional Public Affairs Directors@epa.gov>; Rodrick, Christian

<rodrick.christian@epa.gov>; Struhar, Kirby <struhar.kirby@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>

Subject: RE: WOTUS event

Per Chad's request. I'm adding the PADs for everyone's awareness. Please make sure to loop in OCIR as you move forward.

From: Nitsch, Chad < <u>Nitsch.Chad@epa.gov</u>>
Sent: Tuesday, September 03, 2019 10:41 AM

To: Drinkard, Andrea < Drinkard. Andrea@epa.gov>

Subject: RE: WOTUS event

I recommend informing the other PADs.

Chad Nitsch

Director, Office of Public Affairs

US Environmental Protection Agency - Region 3 (Mid-Atlantic: WV, VA, PA, MD, DE, DC)

215-814-5434

From: Drinkard, Andrea < Drinkard. Andrea@epa.gov>

Sent: Tuesday, September 3, 2019 10:34 AM

To: Nitsch, Chad <Nitsch.Chad@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Risley, David

<Risley.David@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>

Cc: Carter, Brittany S. <arter.brittanys@epa.gov>; Bennett, Tate <a href="mailto:Sennett.Tate@epa.gov">Bennett.Tate@epa.gov</a>; Rodrick, Christian

<rodrick.christian@epa.gov>; Struhar, Kirby <struhar.kirby@epa.gov>

Subject: RE: WOTUS event

Yes, please do. Adding OCIR and Tate for awareness. I'm also going to be drafting a template media advisory today. Will share when that's ready. Thanks.

From: Nitsch, Chad < Nitsch.Chad@epa.gov > Sent: Tuesday, September 03, 2019 9:25 AM

To: Grantham, Nancy < Grantham. Nancy@epa.gov>; Drinkard, Andrea < Drinkard. Andrea@epa.gov>; Risley, David

<<u>Risley.David@epa.gov</u>>; McFaul, Jessica <<u>mcfaul.jessica@epa.gov</u>>

Subject: WOTUS event

HQ friends,

With the WOTUS events tentatively scheduled to occur in two days, can we get a green light to reach out to externals? If so, what level of information can we provide in the media advisory?

Thanks,

Chad Nitsch
Director, Office of Public Affairs
US Environmental Protection Agency – Region 3 (Mid-Atlantic: WV, VA, PA, MD, DE, DC)
215-814-5434

Allnutt, David [Allnutt.David@epa.gov] From:

Sent: 1/20/2018 1:03:12 AM

To: Hough, Palmer [Hough.Palmer@epa.gov]; Goodin, John [Goodin.John@epa.gov]; Eisenberg, Mindy

[Eisenberg.Mindy@epa.gov]; Libertz, Catherine [Libertz.Catherine@epa.gov]; Kaiser, Russell

[Kaiser.Russell@epa.gov]; Neugeboren, Steven [Neugeboren.Steven@epa.gov]; Stern, Allyn [Stern.Allyn@epa.gov]; Holsman, Marianne [Holsman.Marianne@epa.gov]; Murphy, Stacy [Murphy.Stacy@epa.gov]; Fordham, Tami

[Fordham.Tami@epa.gov]; Szerlog, Michael [Szerlog.Michael@epa.gov]

CC: Drinkard, Andrea [Drinkard.Andrea@epa.gov]; Skadowski, Suzanne [Skadowski.Suzanne@epa.gov]; Gude, Karen

[Gude.Karen@epa.gov]; Bennett, Brittany [bennett.brittany@epa.gov]; Palomaki, Ashley

[Palomaki.Ashley@epa.gov]; Wehling, Carrie [Wehling.Carrie@epa.gov]; Nalven, Heidi [Nalven.Heidi@epa.gov]; Peterson, Erik [Peterson.Erik@epa.gov]; Steiner-Riley, Cara [Steiner-Riley.Cara@epa.gov]; Ortiz, Michael [Ortiz.Michael@epa.gov]; Lindsay, Andrea [Lindsay.Andrea@epa.gov]; Whitley, Annie [Whitley.Annie@epa.gov];

Shoemake, Neverley [shoemake.neverley@epa.gov]; Herbst, John [herbst.john@epa.gov]

Subject: RE: draft FRN regarding BB for your review (Close-Hold, please do not forward, share, or discuss outside this group)

Attachments: BB FRN\_no withdrawal decision\_v4-rda.docx

Palmer and team – nice work. A few minor suggestions attached.



R. David Allnutt, Director Office of Environmental Review and Assessment U.S. EPA, Region 10 1200 Sixth Avenue, Suite 900 Seattle, Washington 98101-3140 (206) 553-2581













From: Hough, Palmer

Sent: Friday, January 19, 2018 4:30 PM

To: Goodin, John <Goodin.John@epa.gov>; Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>; Libertz, Catherine

<Libertz.Catherine@epa.gov>; Kaiser, Russell <Kaiser.Russell@epa.gov>; Neugeboren, Steven

<Neugeboren.Steven@epa.gov>; Allnutt, David <Allnutt.David@epa.gov>; Stern, Allyn <Stern.Allyn@epa.gov>; Holsman,

Marianne <Holsman.Marianne@epa.gov>; Murphy, Stacy <Murphy.Stacy@epa.gov>; Fordham, Tami

<Fordham.Tami@epa.gov>; Szerlog, Michael <Szerlog.Michael@epa.gov>

Cc: Drinkard, Andrea < Drinkard. Andrea@epa.gov>; Skadowski, Suzanne < Skadowski. Suzanne@epa.gov>; Gude, Karen

<Gude.Karen@epa.gov>; Bennett, Brittany <bennett.brittany@epa.gov>; Palomaki, Ashley <Palomaki.Ashley@epa.gov>;

Wehling, Carrie < Wehling. Carrie@epa.gov>; Nalven, Heidi < Nalven. Heidi@epa.gov>; Peterson, Erik

<Peterson.Erik@epa.gov>; Steiner-Riley, Cara <Steiner-Riley.Cara@epa.gov>; Ortiz, Michael <Ortiz.Michael@epa.gov>;

Lindsay, Andrea <Lindsay. Andrea@epa.gov>; Whitley, Annie <Whitley. Annie@epa.gov>; Shoemake, Neverley

<shoemake.neverley@epa.gov>; Herbst, John <herbst.john@epa.gov>

Subject: draft FRN regarding BB for your review (Close-Hold, please do not forward, share, or discuss outside this group)

**Importance:** High

Folks:

Attached for your review is a draft FRN for a decision Ex. 5 Deliberative Process (DP) it's 13 pages, doublespaced. This draft reflects input from the team of staff working on Ex. 5 Deliberative Process (DP) particular thanks to Ashley, Heidi, Carrie, and Brittany for all of their work on this.

If we plan to provide a revised draft of this to senior management by COB Monday, then we would need to have any edits from you by noon ET Monday.

Please let me know if you have any questions.

Thanks, Palmer

Palmer Hough, Environmental Scientist

office: 202.566.1374

Office of Wetlands, Oceans, and Watersheds U.S. EPA Headquarters (MC 4504T) 1200 Pennsylvania Avenue, NW Washington, DC 20460 www.epa.gov/wetlands

Grantham, Nancy [Grantham.Nancy@epa.gov] From:

Sent: 9/3/2019 4:49:14 PM

To: Regional Public Affairs Directors [Regional Public Affairs Directors@epa.gov]

FW: Regions are asking when they can reach out to congressionals and others on the SFTF events Ex. 5 Deliberative Process (DP) Subject:

See below thanks ng

From: Schiermeyer, Corry <schiermeyer.corry@epa.gov>

Sent: Tuesday, September 3, 2019 12:43 PM

To: Grantham, Nancy <Grantham.Nancy@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Abboud, Michael

<abboud.michael@epa.gov>; Harwood, Jackie <Harwood.Jackie@epa.gov>; Rodrick, Christian

<rodrick.christian@epa.gov>; Frye, Tony (Robert) <frye.robert@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>;

Richardson, RobinH < Richardson.RobinH@epa.gov >; Bowles, Jack < Bowles.Jack@epa.gov >

Subject: RE: Regions are asking when they can reach out to congressionals and others on the SFTF events Ex. 5 Deliberative Process (DP)

--- thanks ng

They are free to start reaching out for these events. Let's just remind them that the information is close hold until the actual announcement.

Thank you

From: Grantham, Nancy < Grantham. Nancy@epa.gov>

Sent: Tuesday, September 3, 2019 12:40 PM

To: Schiermeyer, Corry <schiermeyer.corry@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Abboud, Michael

<abboud.michael@epa.gov>; Harwood, Jackie <Harwood.Jackie@epa.gov>; Rodrick, Christian

<rodrick.christian@epa.gov>; Frye, Tony (Robert) <frye.robert@epa.gov>; Levine, Carolyn <Levine.Carolyn@epa.gov>;

Richardson, RobinH <a href="mailto:Richardson.RobinH@epa.gov">RobinH <a href="mailto:Richardson.RobinH@epa.gov">RobinH <a href="mailto:Richardson.RobinH@epa.gov">RobinH <a href="mailto:Richardson.RobinH@epa.gov">RobinH@epa.gov</a>; Bowles, Jack <a href="mailto:Bowles\_Jack@epa.gov">Bowles\_Jack@epa.gov</a>

Cc: Grantham, Nancy < Grantham. Nancy@epa.gov>

Subject: Regions are asking when they can reach out to congressionals and others on the SFTF events Ex. 5 Deliberative Process (DP)

thanks ng

Nancy Grantham **Principal Deputy Associate Administrator Environmental Protection Agency** Office of Public Affairs 202-564-6879 (desk)

Ex. 6 Personal Privacy (PP) (Cell)

grantham.nancy@epa.gov

McDonough, Owen [mcdonough.owen@epa.gov]

Drinkard, Andrea [Drinkard.Andrea@epa.gov]; Risley, David [Risley.David@epa.gov]

9/2/2019 11:48:56 PM

From:

Sent:

To:

```
CC:
               Grantham, Nancy [Grantham.Nancy@epa.gov]
  Subject:
               RE: WOTUS Step 1 Final Rule Roll Out
 As of Friday (8/30), we were targeting
                                                    Ex. 5 Deliberative Process (DP)
 Will touch base with y'all tomorrow.
  Thanks,
  Owen
  ----Original Message----
  From: Drinkard, Andrea < Drinkard. Andrea@epa.gov>
  Sent: Monday, September 2, 2019 3:27 PM
  To: Risley, David <Risley.David@epa.gov>
  Cc: McDonough, Owen <mcdonough.owen@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
  Subject: Re: WOTUS Step 1 Final Rule Roll Out
  Thanks for the clarification on the TPs. The TPs are closed out after David Fotouhi and Matt Leopold.
  Will take a look at the Pr comments, those are still under review. Do you know who in OGC provided the
  comments?
                                                                   Ex. 5 Deliberative Process (DP)
 <u>Defer to Owe</u>n on the timing question, but presume
Ex.5 Deliberative Process (DP) Owen, we should touch base tomorrow, want to make sure folks in OP, the special assistants
  and OEX are prepped.
  Thanks.
 > On Sep 2, 2019, at 3:16 PM, Risley, David <Risley.David@epa.gov> wrote:
 > Owen and Andrea,
   Here are some comments that OW staff received from OGC review of the press release and talking points.
  I believe that you may have had a separate OGC review cycle. Please let me know if these comments are
  still helpful and if I can do anything to help update the current versions.
 > Best
 > David
  > David Risley
 > EPA Office of Water
    Acting Deputy Communications Director
 > Ex. 6 Personal Privacy (PP)
 > ----Original Message----
 > From: Kwok, Rose <Kwok.Rose@epa.gov>
  > Sent: Friday, August 30, 2019 4:11 PM
  > To: Risley, David <Risley.David@epa.gov>
  > Cc: McDavit, Michael W. <Mcdavit.Michael@epa.gov>; Frazer, Brian
  > <Frazer.Brian@epa.gov>; Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>;
   Christensen, Damaris <Christensen.Damaris@epa.gov>Subject: RE: WOTUS Step 1 Final Rule Roll Out
  > Hi David,
  > Here are edited versions of the TPs and Press Release with edits from OGC. OGC notes that their edits
  to the talking points are just for clarification.
   Also, we were wondering if you had heard any updates regarding the timing of signature
 Ex. 5 Deliberative Process (DP)
  > Thanks!
   ----Original Message----
 > From: Risley, David
  > Sent: Friday, August 30, 2019 9:43 AM
  > To: Kwok, Rose <Kwok.Rose@epa.gov>
  > Cc: McDavit, Michael W. <Mcdavit.Michael@epa.gov>; Frazer, Brian
```

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> <Frazer.Brian@epa.gov>
> Subject: RE: WOTUS Step 1 Final Rule Roll Out
> Tuesday COB?
> David Risley
> EPA Office of Water
> Acting Deputy Communications Director
> Ex. 6 Personal Privacy (PP)
> ----Original Message----
> From: Kwok, Rose <Kwok.Rose@epa.gov>
> Sent: Friday, August 30, 2019 9:23 AM
> To: Risley, David <Risley.David@epa.gov>
> Cc: McDavit, Michael W. <Mcdavit.Michael@epa.gov>; Frazer, Brian
> <Frazer.Brian@epa.gov>
> Subject: Re: WOTUS Step 1 Final Rule Roll Out
> Thanks, David! When do we need Amy edits back from OGC?
> Sent from my iPhone
>> On Aug 30, 2019, at 8:53 AM, Risley, David <Risley.David@epa.gov> wrote:
>>
>> Hi all,
>> Things are moving quickly on WOTUS rollout prep. First off, I hear that the rule is close to clearing OMB. So, congrats! Second, Materials have now been reviewed and revised by OPA. I still think OGC's
review is valuable, but please have them review the attached versions. Third, the Regions are making
good progress in planning their events. I've seen plans from all but two regions at this point.
Finally, I'm going to pull the additional edits you made on the comms plan into a different document
today and start getting OW IO review of that.
>>
>> Best,
>> David
>>
>> David Risley
>> EPA Office of Water
>> Acting Deputy Communications Director
>> Ex. 6 Personal Privacy (PP)
>>
>> ----Original Message-----
>> From: Kwok, Rose <Kwok.Rose@epa.gov>
>> Sent: Wednesday, August 28, 2019 2:59 PM
>> To: Risley, David <Risley.David@epa.gov>; McDavit, Michael W. >> <Mcdavit.Michael@epa.gov>
>> Cc: Frazer, Brian <Frazer.Brian@epa.gov>
>> Subject: RE: WOTUS Step 1 Final Rule Roll Out
>>
>> Great - I've given OGC a heads up
>>
>> ----Original Message----
>> From: Risley, David
>> Sent: Wednesday, August 28, 2019 2:41 PM
>> To: Kwok, Rose <Kwok.Rose@epa.gov>; McDavit, Michael W.
>> <Mcdavit.Michael@epa.gov>
>> Cc: Frazer, Brian <Frazer.Brian@epa.gov>
>> Subject: RE: WOTUS Step 1 Final Rule Roll Out
>> I think I'll have an updated version of materials tomorrow, which would be a good time.
>>
>> David Risley
>> EPA Office of Water
>> Acting Deputy Communications Director
>> Ex. 6 Personal Privacy (PP)
>> ----Original Message----
>> From: Kwok, Rose <Kwok.Rose@epa.gov>
>> Sent: Wednesday, August 28, 2019 1:17 PM
>> To: McDavit, Michael W. <Mcdavit.Michael@epa.gov>; Risley, David
>> <Risley.David@epa.gov>
>> Cc: Frazer, Brian <Frazer.Brian@epa.gov>
>> Subject: RE: WOTUS Step 1 Final Rule Roll Out
>> I'll double check with OGC. It looks like Damaris sent the materials to Simma from OGC, but Simma was
out last week. David, when would be the best time to get OGC's review.
>> ----Original Message-----
>> From: McDavit, Michael W.
```

```
>> Sent: Wednesday, August 28, 2019 1:16 PM
>> To: Risley, David <Risley.David@epa.gov>
>> Cc: Kwok, Rose <Kwok.Rose@epa.gov>; Frazer, Brian
>> <Frazer.Brian@epa.gov>
>> Subject: Re: WOTUS Step 1 Final Rule Roll Out
>> Good to have that context, thanks.
>> Sent from my iPhone
>>
>>> On Aug 28, 2019, at 1:14 PM, Risley, David <Risley.David@epa.gov> wrote:
>>>
>>> I have not run an OGC review, though some of the source material was provided by OWOW and might have
already been reviewed. That said, these are not even cleared as final from OW yet. So, they will
definitely change.
>>>
>>> David Risley
>>> EPA Office of Water
>>> Acting Deputy Communications Director
>>> Ex. 6 Personal Privacy (PP)
>>>
>>> ----Original Message----
>>> From: McDavit, Michael W. <Mcdavit.Michael@epa.gov>
>>> Sent: Wednesday, August 28, 2019 1:13 PM
>>> To: Risley, David <Risley.David@epa.gov>
>>> Cc: Kwok, Rose <Kwok.Rose@epa.gov>; Frazer, Brian
>>> <Frazer.Brian@epa.gov>
>>> Subject: Re: WOTUS Step 1 Final Rule Roll Out
>>>
                                                                     Ex. 5 Deliberative Process (DP)
>>> I wonder whether OGC reviewed the draft TPs, since
>>>
>>> Mike
>>>
>>> Sent from my iPhone
>>>
>>>> On Aug 28, 2019, at 1:11 PM, Risley, David <Risley.David@epa.gov> wrote:
>>>>
>>>> I think it is OK to share them. Please do note that its close hold.
>>>>
>>>> David Risley
>>>> EPA Office of Water
>>>> <u>Acting Deputy</u> Communications Director
>>>> Ex. 6 Personal Privacy (PP)
>>>>
>>>> ----Original Message-----
>>>> From: Kwok, Rose <Kwok.Rose@epa.gov>
>>>> Sent: Wednesday, August 28, 2019 1:10 PM
>>>> To: Risley, David <Risley.David@epa.gov>; McDavit, Michael W.
>>>> <Mcdavit.Michael@epa.gov>
>>>> Cc: Frazer, Brian <Frazer.Brian@epa.gov>
>>>> Subject: RE: WOTUS Step 1 Final Rule Roll Out
>>>> Thanks, David. I forwarded Mike your email yesterday, but he's pretty slammed, so he might have
missed it. Is it okay to send the draft TPs to regional staff asking for them (noting that it is a close
hold), or should we tell them to work with their PADs directly?
>>>>
>>>> Thanks!
>>>> ----Original Message----
>>>> From: Risley, David
>>>> Sent: Wednesday, August 28, 2019 1:01 PM >>>> To: McDavit, Michael W. <Mcdavit.Michael@epa.gov>
>>>> Cc: Frazer, Brian <Frazer.Brian@epa.gov>; Kwok, Rose
>>>> <Kwok.Rose@epa.gov>
>>>> Subject: RE: WOTUS Step 1 Final Rule Roll Out
>>>>
>>>> Michael,
>>>> Appreciate your patience on this front. This is a late breaking request from OPA and they are leading the effort with the Regional Public Affairs Directors (PADs). I sent the attached note on this
yesterday in an attempt to loop the WDDs. I would recommend that the WDDs work with their PADs. I'm
attaching draft talking points that have also been shared with the PADs. These are very draft and close
hold. But, they provide an initial sense of the messaging.
>>>>
>>>> Best
>>>> David
>>>>
>>>> David Risley
>>>> EPA Office of Water
```

```
>>> Acting Deputy Communications Director
>>>> Ex. 6 Personal Privacy (PP)
>>>>
>>>> ----Original Message----
>>>> From: McDavit, Michael W. <Mcdavit.Michael@epa.gov>
>>>> Sent: Wednesday, August 28, 2019 12:46 PM
>>>> To: Risley, David <Risley.David@epa.gov>
>>>> Cc: Frazer, Brian <Frazer.Brian@epa.gov>; Kwok, Rose
>>>> <Kwok.Rose@epa.gov>
>>>> Subject: WOTUS Step 1 Final Rule Roll Out
>>>>
>>>> Hi David,
>>>>
>>>> Just got off the phone with John Goodin who is attending ACWA in Austin.
>>>>
>>>> He is getting pings from WDDs and others on the sort of things that would Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

I too am getting phone calls and emails on this same thing.
                                    I too am getting phone calls and emails on this same thing.
>>>> This is a surprise to us since we thought

Ex. 5 Deliberative Process (DP)
                                                                  Ex. 5 Deliberative Process (DP)
>>>>
>>>> If it's true that there are such plans, could you please let us know what we should be advising. What
message does OPA want to convey? Also, could you tell me the status of the draft comms materials that we
recently sent to your shop. We will also need to loop in the Army as we move forward to roll out this
final rule.
>>>>
>>>> Thanks.
>>>> Mike
>>>>
>>>> Sent from my iPhone
>> <WOTUS Step 1 Final Rule Press Release 8-29-19.docx> <WOTUS Step 1
>> One Pager Talking Points 8-29-19.docx> <WOTUS Step 1 Final Rule Comms
>> Plan 8-29-2019.docx>
> <WOTUS Step 1 Final Rule Press Release 8-29-19 khcw.docx> <WOTUS Step
> 1 One Pager Talking Points 8-29-19 kh.docx>
```

From: Risley, David [Risley.David@epa.gov]

Sent: 9/2/2019 7:16:52 PM

Drinkard, Andrea [Drinkard.Andrea@epa.gov]; McDonough, Owen [mcdonough.owen@epa.gov] To:

FW: WOTUS Step 1 Final Rule Roll Out Subject:

Attachments: WOTUS Step 1 Final Rule Press Release 8-29-19 khcw.docx; WOTUS Step 1 One Pager Talking Points 8-29-19 kh.docx

Owen and Andrea.

Here are some comments that OW staff received from OGC review of the press release and talking points. believe that you may have had a separate OGC review cycle. Please let me know if these comments are still helpful and if I can do anything to help update the current versions.

David

David Risley EPA Office of Water

Acting Deputy Communications Director

Ex. 6 Personal Privacy (PP)

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Cc: McDavit, Michael W. <Mcdavit.Michael@epa.gov>; Frazer, Brian <Frazer.Brian@epa.gov>; Eisenberg, Mindy

<Eisenberg.Mindy@epa.gov>; Christensen, Damaris <Ćhristensen.Damaris@epa.gov> Subject: RE: WOTUS Step 1 Final Rule Roll Out

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### Thanks!

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> Cc: Kwok, Rose <Kwok.Rose@epa.gov>; Frazer, Brian
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> Subject: Re: WOTUS Step 1 Final Rule Roll Out
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>> Ex. 6 Personal Privacy (PP)
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>> Sent: Wednesday, August 28, 2019 1:13 PM
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>> Subject: Re: WOTUS Step 1 Final Rule Roll Out
>>
```

```
Ex. 5 Deliberative Process (DP)
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>>> EPA Office of Water
>>> Acting Deputy Communications Director
>>> Ex. 6 Personal Privacy (PP)
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>>> Subject: RE: WOTUS Step 1 Final Rule Roll Out
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>>>
>>> Thanks!
>>>
>>> ----Original Message-----
>>> From: Risley, David
>>> Sent: Wednesday, August 28, 2019 1:01 PM
>>> To: McDavit, Michael W. <Mcdavit.Michael@epa.gov>
>>> Cc: Frazer, Brian <Frazer.Brian@epa.gov>; Kwok, Rose
>>> <Kwok.Rose@epa.gov>
>>> Subject: RE: WOTUS Step 1 Final Rule Roll Out
>>>
>>> Michael.
>>> Appreciate your patience on this front. This is a late breaking request from OPA and they are
leading the effort with the Regional Public Affairs Directors (PADS). I sent the attached note on this
yesterday in an attempt to loop the WDDs. I would recommend that the WDDs work with their PADs. I'm
attaching draft talking points that have also been shared with the PADs. These are very draft and close
hold. But, they provide an initial sense of the messaging.
>>>
>>> Best,
>>> David
>>>
>>> David Risley
>>> EPA Office of Water
>>> Acting Deputy Communications Director
>>> Ex. 6 Personal Privacy (PP)
>>>
>>> ----Original Message----
>>> From: McDavit, Michael W. <Mcdavit.Michael@epa.gov>
>>> Sent: Wednesday, August 28, 2019 12:46 PM
>>> To: Risley, David <Risley.David@epa.gov>
>>> Cc: Frazer, Brian <Frazer.Brian@epa.gov>; Kwok, Rose
>>> <Kwok.Rose@epa.gov>
>>> Subject: WOTUS Step 1 Final Rule Roll Out
>>>
>>> Hi David.
>>>
>>> Just got off the phone with John Goodin who is attending ACWA in Austin.
>>>
>>> He is getting pings from WDDs and others on the sort of things that would Ex. 5 Deliberative Process (DP)
                                       I too am getting phone calls and emails on this same thing.
       Ex. 5 Deliberative Process (DP)
>>>
                                                               Ex. 5 Deliberative Process (DP)
   This is a surprise to us since we thought Ex.5 Deliberative Process (DP)
>>>
>>> If it's true that there are such plans, could you please let us know what we should be advising. What
message does OPA want to convey? Also, could you tell me the status of the draft comms materials that we
recently sent to your shop. We will also need to loop in the Army as we move forward to roll out this
final rule.
>>>
>>> Thanks
>>> Mike
>>>
```

- >>> Sent from my iPhone
  > <WOTUS Step 1 Final Rule Press Release 8-29-19.docx> <WOTUS Step 1 One
  > Pager Talking Points 8-29-19.docx> <WOTUS Step 1 Final Rule Comms Plan
  > 8-29-2019.docx>

From: Grantham, Nancy [Grantham.Nancy@epa.gov]

**Sent**: 8/30/2019 12:25:41 PM

To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]
Subject: RE: Region 1 Administrator at BIA of NH

yes

From: Drinkard, Andrea < Drinkard. Andrea@epa.gov>

Sent: Friday, August 30, 2019 8:24 AM

To: Grantham, Nancy < Grantham. Nancy@epa.gov>Subject: Fwd: Region 1 Administrator at BIA of NH

We should probably connect with Deb at some point today. Maybe after the huddle this morning.

Begin forwarded message:

From: "Bennett, Tate" < Bennett. Tate@epa.gov>

**Date:** August 29, 2019 at 7:46:11 PM EDT **To:** "Jackson, Ryan" <<u>iackson.ryan@epa.gov</u>>

Cc: Dennis Deziel < Ex. 6 Personal Privacy (PP) >, "McFaul, Jessica" <mcfaul.jessica@epa.gov>, "Molina,

Michael" < molina.michael@epa.gov>

Subject: Re: Region 1 Administrator at BIA of NH

Dennis- spoke to Deb Szaro earlier. You should be all set and Friday is totally doable and the meeting will not be public. Deb will have our talkers for you upon your arrival Tuesday! Welcome aboard!

Sent from my iPhone

On Aug 29, 2019, at 6:23 PM, Jackson, Ryan < jackson.ryan@epa.gov> wrote:

HQ staff will even come to R1 to ensure you are not alone. Glad you're here, brother.

Ryan Jackson Chief of Staff U.S. EPA Ex. 6 Personal Privacy (PP)

On Aug 29, 2019, at 3:33 PM, Dennis Deziel < Ex. 6 Personal Privacy (PP) > wrote:

**Ex. 5 Deliberative Process (DP)** and I think it needs to be Friday. Call me if you like. Thanks.

Sent from my iPhone

On Aug 29, 2019, at 2:15 PM, Bennett, Tate < Bennett. Tate@epa.gov > wrote:

FYI Dennis looks like NH Business and Industry Association will be your hosts next Thursday. We (Jess) are working our logistics on press and will send you a run of show here very soon.

From: David Creer <doreen@biaofnh.com>
Sent: Thursday, August 29, 2019 2:05 PM
To: Bennett, Tate <box>
Subject: Region 1 Administrator at BIA of NH

Hi Tate,

I spoke with our president, the chair, and the vicechair of our policy committee that handles environmental affairs. We are interested in having Dennis Deziel come speak with our members at a stakeholder event, but I wanted to double check something with you first.

We do not need to have the media or a press release regarding the event, correct? We are only interested in hosting the stakeholder meeting if it is simply an opportunity for our members to meet with the Region 1 Administrator to discuss the water rule and other concerns they may have.

Thanks, Dave

David Creer
Director of Public Policy
Energy and Environmental Affairs
Business & Industry Association
122 N. Main St., Concord, NH 03301
Office: (603) 224-5388 ext. 112

Cell: Ex. 6 Personal Privacy (PP) dcreer@biaofnh.com

From: Grantham, Nancy [Grantham.Nancy@epa.gov]

Sent: 8/29/2019 10:00:22 PM

To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]

**Subject**: FW: DRAFT WOTUS Comms Materials

Attachments: WOTUS Step 1 Final Rule Comms Plan Region 6 8-29-19.docx

From: Larson, Darrin < Larson. Darrin@epa.gov>
Sent: Thursday, August 29, 2019 5:57 PM

To: Grantham, Nancy <Grantham.Nancy@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>

Cc: Taheri, Diane <Taheri.Diane@epa.gov>
Subject: RE: DRAFT WOTUS Comms Materials

Hi Nancy,

Here's our comms plan. We're planning an event with **Ex. 5 Deliberative Process (DP)** and are still locking down the details, but we should have a run of show soon.

Darrin Larson
Acting Director, Office of External Affairs

U.S. EPA Region 6
Office: 214-665-7115
Mobile: Ex. 6 Personal Privacy (PP)

From: Grantham, Nancy < Grantham. Nancy@epa.gov>

Sent: Wednesday, August 28, 2019 10:58 AM

To: Regional Public Affairs Directors < Regional Public Affairs Directors@epa.gov>

Subject: FW: DRAFT WOTUS Comms Materials

For our 12:30 p.m call today - please note these materials are close hold and draft thanks ng

From: Risley, David < Risley. David@epa.gov > Sent: Wednesday, August 28, 2019 10:47 AM

To: McFaul, Jessica <mcfaul.jessica@epa.gov>; Bennett, Tate <8ennett.Tate@epa.gov>; McDonough, Owen

<mcdonough.owen@epa.gov>

Cc: Grantham, Nancy < Grantham.Nancy@epa.gov>; Drinkard, Andrea < Drinkard.Andrea@epa.gov>

**Subject:** DRAFT WOTUS Comms Materials

All,

Here are draft communications materials from OW for next week's WOTUS announcement. These have been reviewed by Owen but have not be reviewed by Dave or officially cleared from OW yet. We hope these will be helpful for communications/engagement planning purposes. To that end, they can be shared with the Regional PADs in advance of the 12:30 call. However, they should not be shared outside of EPA. To the extent that they are shared inside EPA, please be sure to note their draft/internal/deliberative nature.

Best, David David Risley
EPA Office of Water
Acting Deputy Communications Director

[EX. 6 Personal Privacy (PP)]

From: Carey, Curtis [Carey.Curtis@epa.gov]

**Sent**: 7/12/2017 8:53:08 PM

To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]

Subject: RE: WIFIA Materials for 12:30 est PAD call today --- Close Hold

#### Thanks Andrea!

From: Drinkard, Andrea

**Sent:** Wednesday, July 12, 2017 10:48 AM **To:** Carey, Curtis < Carey. Curtis@epa.gov>

Cc: Grantham, Nancy < Grantham.Nancy@epa.gov>; Fenton, Kathleen < Fenton.Kathleen@epa.gov>

Subject: Re: WIFIA Materials for 12:30 est PAD call today --- Close Hold

Thanks for the q. It made me realize that I wasn't quite clear. The numbers that's included in the spreadsheet is the

# Ex. 5 Deliberative Process (DP)

Does that help?

Also, it could be **Ex. 5 Deliberative Process (DP)**, so there will be some down time between announcements.

Sent from my iPhone

On Jul 12, 2017, at 11:40 AM, Carey, Curtis < Carey. Curtis@epa.gov > wrote:

Thanks Andrea,

Any idea on when the communities will find out how much they will receive?

From: Drinkard, Andrea

Sent: Tuesday, July 11, 2017 7:05 PM

To: Grantham, Nancy < Grantham. Nancy@epa.gov>

Cc: Carey, Curtis < Carey, Curtis@epa.gov>; Fenton, Kathleen < Fenton, Kathleen@epa.gov>

Subject: Re: WIFIA Materials for 12:30 est PAD call today --- Close Hold

### Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Jul 11, 2017, at 5:34 PM, Grantham, Nancy < Grantham. Nancy@epa.gov> wrote:

Looping Andrea .. thanks ng

### **Nancy Grantham** Office of Public Affairs US Environmental Protection Agency 202-564-6879 (desk)

Ex. 6 Personal Privacy (PP) (mobile)

From: Carey, Curtis

Sent: Tuesday, July 11, 2017 5:34 PM

To: Grantham, Nancy < Grantham. Nancy@epa.gov> Cc: Fenton, Kathleen < Fenton. Kathleen@epa.gov >

Subject: RE: WIFIA Materials for 12:30 est PAD call today --- Close Hold

Nancy,

Do you know if the column on the .pdf table called **Ex. 5 Deliberative Process (DP)** 

### Ex. 5 Deliberative Process (DP)

#### **Thanks**

From: Grantham, Nancy

Sent: Tuesday, July 11, 2017 6:55 AM

To: Regional Public Affairs Directors < Regional Public Affairs Directors@epa.gov>

Cc: Richardson, RobinH < Richardson.RobinH@epa.gov>

Subject: FW: WIFIA Materials for 12:30 est PAD call today --- Close Hold

### **Nancy Grantham** Office of Public Affairs **US Environmental Protection Agency** 202-564-6879 (desk)

Ex. 6 Personal Privacy (PP) (mobile)

From: Drinkard, Andrea

**Sent:** Monday, July 10, 2017 4:42 PM

To: Grantham, Nancy < Grantham. Nancy@epa.gov >; Konkus, John

<konkus.john@epa.gov>

Cc: Schollhamer, Mary <Schollhamer, Mary@epa.gov>; Thomas, Latosha

<a href="mailto:lines-en-sta@epa.gov">"> Jones, Enesta < Jones. Enesta@epa.gov">"> Lynn, Tricia</a>

<lynn.tricia@epa.gov>

Subject: WIFIA Materials so Far

Hi Nancy and John,

As per our meeting today, attached are 5 documents for your review for WIFIA:

- 1) An updated comms plan, which now includes a tick tock
- 2) A draft press release with a draft Administrator's quote
- 3) A draft fact sheet on WIFIA
- 4) A sample fact sheet on the Ex. 5 Deliberative Process (DP)
- 5) A spread sheet of all the projects

From: Grantham, Nancy [Grantham.Nancy@epa.gov]

**Sent**: 8/28/2019 3:58:22 PM

To: Regional Public Affairs Directors [Regional\_Public\_Affairs\_Directors@epa.gov]

**Subject**: FW: DRAFT WOTUS Comms Materials

Attachments: WOTUS Step 1 One Pager Talking Points 8-28-19.docx; WOTUS Step 1 Final Rule Press Release 8-27-19.docx; WOTUS

Step 1 Final Rule Comms Plan 8-27-19.docx

For our 12:30 p.m call today – please note these materials are close hold and draft thanks ng

From: Risley, David <Risley.David@epa.gov> Sent: Wednesday, August 28, 2019 10:47 AM

To: McFaul, Jessica <mcfaul.jessica@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; McDonough, Owen

<mcdonough.owen@epa.gov>

Cc: Grantham, Nancy < Grantham. Nancy@epa.gov>; Drinkard, Andrea < Drinkard. Andrea@epa.gov>

Subject: DRAFT WOTUS Comms Materials

#### All,

Here are draft communications materials from OW for next week's WOTUS announcement. These have been reviewed by Owen but have not be reviewed by Dave or officially cleared from OW yet. We hope these will be helpful for communications/engagement planning purposes. To that end, they can be shared with the Regional PADs in advance of the 12:30 call. However, they should not be shared outside of EPA. To the extent that they are shared inside EPA, please be sure to note their draft/internal/deliberative nature.

Best, David

David Risley
EPA Office of Water
Acting Deputy Communications Director

Ex. 6 Personal Privacy (PP)

From: Wildeman, Anna [wildeman.anna@epa.gov]

**Sent**: 9/3/2018 3:10:25 PM

To: Dennis, Allison [Dennis.Allison@epa.gov]
CC: Drinkard, Andrea [Drinkard.Andrea@epa.gov]

**Subject**: RE: For your review: Updated Water SubCab Comms Materials

Attachments: Federal Partners Launch Water Subcabinet\_PR\_v2redline.docx; Federal Water Subcabinet - Roll-Out Plan\_v2

redline.docx; FedSubWaterCabPressCall RUNofSHOWv2redline.docx; WaterSubCab Media Advisoryredline.docx

Allison, some redlines for your consideration. There isn't a doc for the website mock up but any changes in language we make to these should also be reflected on the website mockup. Also we should make sure Dave is aware of/comfortable with the website concept generally.

From: Dennis, Allison

Sent: Friday, August 31, 2018 12:55 PM

To: Wildeman, Anna <wildeman.anna@epa.gov>

Cc: Rose, Bob <Rose.Bob@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>

Subject: For your review: Updated Water SubCab Comms Materials

Walking down hard copies now. These reflect the updated press strategy (mtg will be closed to press). We will issue a media advisory for the 9/17 12:30 pm press call at 9 am the morning of.

- -rollout plan
- -media advisory for press call
- -press release
- -press call run of show
- -webpage (I provided you a hard copy only; note: we ditched the fact sheet)

Allison Dennis

**Deputy Communications Director** 

Office of Water

U.S. Environmental Protection Agency

Office: 202-564-1985
Cell: Ex. 6 Personal Privacy (PP)
Dennis. Allison@epa.gov

From: Grantham, Nancy [Grantham.Nancy@epa.gov]

**Sent**: 7/18/2017 1:13:21 AM

To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]
Subject: Fwd: WIFIA Rollout Distribution Plan R-10

Attachments: image001.png; ATT00001.htm; image002.png; ATT00002.htm; image003.png; ATT00003.htm; image004.png;

ATT00004.htm; image005.png; ATT00005.htm; image006.png; ATT00006.htm; FINAL DRAFT -WIFIA PR-KC -

071717.docx; ATT00007.htm

Sent from my iPhone

Begin forwarded message:

From: "MacIntyre, Mark" < Macintyre. Mark@epa.gov>

Date: July 17, 2017 at 7:12:35 PM EDT

To: "Grantham, Nancy" < Grantham.Nancy@epa.gov >, "Milbourn, Cathy" < Milbourn.Cathy@epa.gov >

Cc: "Holsman, Marianne" < Holsman. Marianne@epa.gov>, "Philip, Jeff" < Philip.Jeff@epa.gov>

Subject: WIFIA Rollout Distribution Plan R-10

## Ex. 5 Deliberative Process (DP)

Mark A. MacIntyre
Senior Communications Officer
U.S. Environmental Protection Agency - Region 10
1200 Sixth Ave. Suite 900
Seattle, WA 98101
(desk) 206-553-7302
(cell) Ex. 6 Personal Privacy (PP)

macintyre.mark@epa.gov

From: Dennis, Allison [Dennis.Allison@epa.gov]

**Sent**: 8/31/2018 4:54:34 PM

**To**: Wildeman, Anna [wildeman.anna@epa.gov]

CC: Rose, Bob [Rose.Bob@epa.gov]; Drinkard, Andrea [Drinkard.Andrea@epa.gov]

**Subject**: For your review: Updated Water SubCab Comms Materials

Attachments: WaterSubCab Media Advisory.docx; Federal Water Subcabinet - Roll-Out Plan\_v2 (002).docx;

FedSubWaterCabPressCall RUNofSHOWv2.docx; Federal Partners Launch Water Subcabinet PR v2.docx

Walking down hard copies now. These reflect the updated press strategy (mtg will be closed to press). We will issue a media advisory for the 9/17 12:30 pm press call at 9 am the morning of.

- -rollout plan
- -media advisory for press call
- -press release
- -press call run of show
- -webpage (I provided you a hard copy only; note: we ditched the fact sheet)

Allison Dennis
Deputy Communications Director
Office of Water

U.S. Environmental Protection Agency

Office: 202-564-1985
Cell Ex. 6 Personal Privacy (PP)
Dennis. Allison@epa.gov

From: Orquina, Jessica [Orquina.Jessica@epa.gov]

**Sent**: 11/15/2017 8:43:55 PM

To: Dennis, Allison [Dennis.Allison@epa.gov]; Mayer, Lauren [mayer.lauren@epa.gov]

CC: Drinkard, Andrea [Drinkard.Andrea@epa.gov]
Subject: RE: Facebook Non-Administrator Access

Done! Sorry, added you to the wrong page first, then added you to the right one. You're all good now.

Jess

Jessica Ann Orquina, Director Office of Web Communications U.S. Environmental Protection Agency

Email: <u>orquina.jessica@epa.gov</u>

Office: 202-564-0446 Mobile: Ex. 6 Personal Privacy (PP)

From: Dennis, Allison

Sent: Wednesday, November 15, 2017 3:25 PM

To: Orquina, Jessica <Orquina.Jessica@epa.gov>; Mayer, Lauren <mayer.lauren@epa.gov>

Cc: Drinkard, Andrea < Drinkard. Andrea@epa.gov > Subject: RE: Facebook Non-Administrator Access

Thank you!

Jess- Can you give me posting rights to the OW facebook account when you get a chance? Here's my profile:

#### Ex. 6 Personal Privacy (PP)

From: Orquina, Jessica

Sent: Monday, November 13, 2017 11:09 AM
 To: Mayer, Lauren < mayer.lauren@epa.gov >
 Cc: Dennis, Allison < Dennis.Allison@epa.gov >
 Subject: RE: Facebook Non-Administrator Access

Hi Lauren,

You should have access now. Also, here's the link to all EPA social media resources: https://www.epa.gov/webguide/social-media-resources.

I've also added you to the social media listserv.

Thanks! Jess

Jessica Ann Orquina, Director
Office of Web Communications
U.S. Environmental Protection Agency

Email: orquina.jessica@epa.gov

Office: 202-564-0446
Mobile (Ex. 6 Personal Privacy (PP)

From: Mayer, Lauren

Sent: Monday, November 13, 2017 11:03 AM
To: Orquina, Jessica < Orquina, Jessica@epa.gov >
Subject: RE: Facebook Non-Administrator Access

Hi Jess,

Here is the link to my Facebook profile: Ex. 6 Personal Privacy (PP)

Also, thank you for sending the link about social media policy.

Best, Lauren

From: Orquina, Jessica

Sent: Monday, November 13, 2017 10:58 AM
 To: Mayer, Lauren < mayer.lauren@epa.gov >
 Cc: Dennis, Allison < Dennis.Allison@epa.gov >
 Subject: RE: Facebook Non-Administrator Access

Hi Lauren,

I'd be happy to give you access to OW's FB page to review stats, etc. Please send me the link to your Facebook profile.

Please be aware, ORISE fellows are not permitted to post to EPA social media accounts. You can definitely help write content, analyze statistics, and work on your office's social media plans and strategy. (https://www.epa.gov/irmpoli8/policy-and-procedures-using-social-media-epa)

Jess

Jessica Ann Orquina, Director
Office of Web Communications
U.S. Environmental Protection Agency

Email: orguina.jessica@epa.gov

Office: 202-564-0446
Mobile: Ex. 6 Personal Privacy (PP)

From: Mayer, Lauren

**Sent:** Monday, November 13, 2017 10:49 AM **To:** Orquina, Jessica < Orquina, Jessica@epa.gov > **Subject:** Facebook Non-Administrator Access

Hello Jessica Orquina,

My name is Lauren Mayer and I am the new ORISE with the communications team in the Office of Water. I am in the process of getting set up on social media accounts and was directed to you as the person to add me as a non-

administrator to the Office of Water Facebook page	. Please let me know what information you need from me in order to
start this process.	

My Facebook username is Ex. 6 Personal Privacy (PP) and the account's associated email is Ex. 6 Personal Privacy (PP) Thank you so much.

Best, Lauren Mayer

From: Schollhamer, Mary [Schollhamer.Mary@epa.gov]

**Sent**: 3/29/2018 1:27:28 PM

To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]; Wadlington, Christina [Wadlington.Christina@epa.gov]

Subject: RE: draft letter to governors -- WIFIA & Lead

Looks great.

Mary G Schollhamer Communications Director Office of Wastewater Management U.S. Environmental Protection Agency

Office: 202-564-5759
Mobile: Ex. 6 Personal Privacy (PP)
schollhamer.mary@epa.gov

Office of Wastewater Management: Solutions for Clean Water

From: Drinkard, Andrea

Sent: Thursday, March 29, 2018 9:11 AM

To: Schollhamer, Mary <Schollhamer.Mary@epa.gov>; Wadlington, Christina <Wadlington.Christina@epa.gov>

Subject: RE: draft letter to governors -- WIFIA & Lead

Here's what I ended up doing:

# Ex. 5 Deliberative Process (DP)

From: Schollhamer, Mary

Sent: Wednesday, March 28, 2018 1:30 PM

To: Wadlington, Christina < Wadlington. Christina@epa.gov >; Drinkard, Andrea < Drinkard. Andrea@epa.gov >

Subject: RE: draft letter to governors -- WIFIA & Lead

Below. And, this is going out before the NOFA announcement, right? Otherwise, I'd say we point to Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

Mary G Schollhamer Communications Director Office of Wastewater Management U.S. Environmental Protection Agency Office: 202-564-5759

Office: 202-564-5759

Mobile Ex. 6 Personal Privacy (PP)
schollhamer.mary@epa.gov

Office of Wastewater Management: Solutions for Clean Water

From: Wadlington, Christina

Sent: Wednesday, March 28, 2018 11:33 AM

To: Drinkard, Andrea < <u>Drinkard.Andrea@epa.gov</u>>
Cc: Schollhamer, Mary < <u>Schollhamer.Mary@epa.gov</u>>
Subject: Re: draft letter to governors -- WIFIA & Lead

Yes just wording and sentence reorg. COB works.

Sent from my iPhone

Is COB possible? I presume they are tweaks around the edges, not wholesale changes? If the latter, let me know ASAP so I can tell Tim.

From: Wadlington, Christina

Sent: Wednesday, March 28, 2018 11:29 AM

To: Drinkard, Andrea <a href="mailto:Andrea@epa.gov">Drinkard, Andrea@epa.gov</a> ; Schollhamer, Mary <a href="mailto:Schollhamer.Mary@epa.gov">Schollhamer, Mary@epa.gov</a>

Subject: RE: draft letter to governors -- WIFIA & Lead

Yes, we have flags regarding **Ex. 5 Deliberative Process (DP)**What's your timing?

From: Drinkard, Andrea

Sent: Wednesday, March 28, 2018 11:24 AM

To: Schollhamer, Mary < <a href="mailto:Schollhamer.Mary@epa.gov">Schollhamer, Mary <a href="mailto:Schollhamer.Mary@epa.gov">Schollhamer, Mary <a href="mailto:Schollhamer.Mary@epa.gov">Schollhamer.Mary@epa.gov</a>>; Wadlington, Christina

<Wadlington.Christina@epa.gov>

Subject: FW: draft letter to governors -- WIFIA & Lead

Could you get Andrew or someone on the WIFIA team to look at the WIFIA paragraph in the attached letter ASAP?

Christina, any issues on your end?

Please keep this letter close hold.

From: Epp, Timothy

Sent: Tuesday, March 27, 2018 4:27 PM

**To:** Drinkard, Andrea < <u>Drinkard.Andrea@epa.gov</u>> **Subject:** draft letter to governors -- WIFIA & Lead

Hi Andrea,

Please help me coordinate the messaging on WIFIA (and SRF) in this draft.

Thanks, Tim

Timothy R. Epp
EPA National Lead Coordinator
Assistant General Counsel
International Environmental Law
Office of General Counsel
U.S. Environmental Protection Agency

Tel. 202-564-2830

From: Wadlington, Christina [Wadlington.Christina@epa.gov]

**Sent**: 3/28/2018 6:58:51 PM

To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]; Schollhamer, Mary [Schollhamer.Mary@epa.gov]

Subject: RE: draft letter to governors -- WIFIA & Lead

We're ok with the attached.

From: Drinkard, Andrea

Sent: Wednesday, March 28, 2018 11:24 AM

To: Schollhamer, Mary <Schollhamer.Mary@epa.gov>; Wadlington, Christina <Wadlington.Christina@epa.gov>

Subject: FW: draft letter to governors -- WIFIA & Lead

Could you get Andrew or someone on the WIFIA team to look at the WIFIA paragraph in the attached letter ASAP?

Christina, any issues on your end?

Please keep this letter close hold.

From: Epp, Timothy

Sent: Tuesday, March 27, 2018 4:27 PM

**To:** Drinkard, Andrea < Drinkard. Andrea @epa.gov> **Subject:** draft letter to governors -- WIFIA & Lead

Hi Andrea,

Please help me coordinate the messaging on WIFIA (and SRF) in this draft.

Thanks,

Tim

Timothy R. Epp
EPA National Lead Coordinator
Assistant General Counsel
International Environmental Law
Office of General Counsel
U.S. Environmental Protection Agency

Tel. 202-564-2830

From: Schollhamer, Mary [Schollhamer.Mary@epa.gov]

**Sent**: 3/28/2018 5:31:11 PM

To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]

**CC**: Wadlington, Christina [Wadlington.Christina@epa.gov]

**Subject**: RE: draft letter to governors -- WIFIA & Lead

Cool, thanks!

Mary G Schollhamer Communications Director Office of Wastewater Management U.S. Environmental Protection Agency

Office: 202-564-5759

Mobile: Ex. 6 Personal Privacy (PP)

schollhamer.mary@epa.gov

# Office of Wastewater Management: Solutions for Clean Water

From: Drinkard, Andrea

Sent: Wednesday, March 28, 2018 1:31 PM

To: Schollhamer, Mary <Schollhamer.Mary@epa.gov>
Cc: Wadlington, Christina <Wadlington.Christina@epa.gov>
Subject: Re: draft letter to governors -- WIFIA & Lead

Thanks. The letter is going after, so it will work well.

Sent from my iPhone

On Mar 28, 2018, at 1:30 PM, Schollhamer, Mary <a href="mailto:Schollhamer.Mary@epa.gov">Schollhamer.Mary@epa.gov</a>> wrote:

Below. And, this is going out before the NOFA announcement, right? Otherwise, I'd say we point to the

# Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

Mary G Schollhamer Communications Director Office of Wastewater Management U.S. Environmental Protection Agency

Office: 202-564-5759

Mobile: Ex. 6 Personal Privacy (PP)

schollhamer.mary@epa.gov

# Office of Wastewater Management: Solutions for Clean Water

From: Wadlington, Christina

Sent: Wednesday, March 28, 2018 11:33 AM

To: Drinkard, Andrea < Drinkard. Andrea@epa.gov >
Cc: Schollhamer, Mary < Schollhamer. Mary@epa.gov >
Subject: Re: draft letter to governors -- WIFIA & Lead

Yes just wording and sentence reorg. COB works.

Sent from my iPhone

On Mar 28, 2018, at 11:30 AM, Drinkard, Andrea < Drinkard. Andrea@epa.gov> wrote:

Is COB possible? I presume they are tweaks around the edges, not wholesale changes? If the latter, let me know ASAP so I can tell Tim.

From: Wadlington, Christina

**Sent:** Wednesday, March 28, 2018 11:29 AM

To: Drinkard, Andrea < <a href="mailto:Drinkard.Andrea@epa.gov">Drinkard, Andrea@epa.gov</a>>; Schollhamer, Mary

<Schollhamer.Mary@epa.gov>

Subject: RE: draft letter to governors -- WIFIA & Lead

Yes, we have flags regarding **Ex.** 

Ex. 5 Deliberative Process (DP)

What's your timing?

From: Drinkard, Andrea

Sent: Wednesday, March 28, 2018 11:24 AM

To: Schollhamer, Mary <<u>Schollhamer.Mary@epa.gov</u>>; Wadlington, Christina

<Wadlington.Christina@epa.gov>

Subject: FW: draft letter to governors -- WIFIA & Lead

Could you get Andrew or someone on the WIFIA team to look at the WIFIA paragraph in the attached letter ASAP?

Christina, any issues on your end?

Please keep this letter close hold.

From: Epp, Timothy

Sent: Tuesday, March 27, 2018 4:27 PM

To: Drinkard, Andrea < <a href="mailto:Drinkard.Andrea@epa.gov">Drinkard, Andrea@epa.gov</a> Subject: draft letter to governors -- WIFIA & Lead

Hi Andrea,

Please help me coordinate the messaging on WIFIA (and SRF) in this draft.

Thanks, Tim

Timothy R. Epp EPA National Lead Coordinator Assistant General Counsel International Environmental Law Office of General Counsel U.S. Environmental Protection Agency Tel. 202-564-2830

From: Schollhamer, Mary [Schollhamer.Mary@epa.gov]

**Sent**: 3/28/2018 3:37:53 PM

**To**: Wadlington, Christina [Wadlington.Christina@epa.gov]

CC: Drinkard, Andrea [Drinkard.Andrea@epa.gov]
Subject: Re: draft letter to governors -- WIFIA & Lead

# Checking.

Mary G Schollhamer Communications Director Office of Wastewater Management U.S. Environmental Protection Agency

Office: 202-564-5759

Mobile: Ex. 6 Personal Privacy (PP)

schollhamer.mary@epa.gov

# Office of Wastewater Management: Solutions for Clean Water

On Mar 28, 2018, at 11:33 AM, Wadlington, Christina < Wadlington. Christina@epa.gov > wrote:

Yes just wording and sentence reorg. COB works.

Sent from my iPhone

On Mar 28, 2018, at 11:30 AM, Drinkard, Andrea < <u>Orinkard.Andrea@epa.gov</u>> wrote:

Is COB possible? I presume they are tweaks around the edges, not wholesale changes? If the latter, let me know ASAP so I can tell Tim.

From: Wadlington, Christina

**Sent:** Wednesday, March 28, 2018 11:29 AM

To: Drinkard, Andrea < Drinkard. Andrea@epa.gov >; Schollhamer, Mary

<Schollhamer.Mary@epa.gov>

Subject: RE: draft letter to governors -- WIFIA & Lead

Yes, we have flags regarding **Ex. 5 Deliberative Process (DP)**What's your timing?

From: Drinkard, Andrea

Sent: Wednesday, March 28, 2018 11:24 AM

To: Schollhamer, Mary < Schollhamer. Mary@epa.gov>; Wadlington, Christina

<Wadlington.Christina@epa.gov>

Subject: FW: draft letter to governors -- WIFIA & Lead

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Please help me coordinate the messaging on WIFIA (and SRF) in this draft.

Thanks, Tim

Timothy R. Epp EPA National Lead Coordinator Assistant General Counsel International Environmental Law Office of General Counsel U.S. Environmental Protection Agency Tel. 202-564-2830

# A Cleaner Anacostia Celebration Commissioning of Clean Rivers Project

Wednesday March 28, 2018
2600 Independence Avenue, SE
CSO 019 Construction Staging Area and Lot 8 for parking

11:30-12:30 Media opportunity at bottom of dropshaft

1:00-2:30 Public Celebration

### Media Event Purpose:

To demonstrate the grand size of the Anacostia River Tunnel System, three bulk head gates will be displayed side by side on the ground. The fourth gate will be connected to a crane and moved into position with the Anacostia River visible in the background. To view the interior of the drop shaft, the media members will be delivered down the shaft using a crane and safety cage. The celebration provides additional visuals.

### **Celebration Purpose:**

DC Water's Clean Rivers Project, a \$2.7 billion effort, celebrates completion of the first phase of the Anacostia River Tunnel System. The tunnel, which is 23 feet inside diameter and more than 7 miles long, holds more than 100 million gallons and is designed to reduce combined sewer overflows to the Anacostia by approximately 80%. The project also includes a new 225 million gallons per day Wet Weather Treatment Facility at Blue Plains.

# Run of Show Media Opportunity

Prior to 11:00	Media should stay in parking lot
Prior to 11:30	Any media should be directed to Safety Trailer
11:30-11:45	Meet in safety trailer and receive Safety Briefing
11:45-12:30	Media groups fly to bottom of shaft (tentatively set for two trips), meet up to receive
	explanation and photo opp
12:30	Media invited to platform for speaking part of the event
1:30-1:38	Pam Mooring and Jeff Peterson re-position media for crane operation
1:40-1:50	Crane operation, lifting fourth gate into position

### **Public Celebration**

12:30-	Staff escort public and VIPs to event area
12:30-1:00	Jackson Flats band plays (bluegrass)
1:00- 1:10	Color Guard and Marchina Band procession, national anthem

1:10-1:13 Welcome/Introduction of Tara Morrison, NPS

**Carlton Ray** 

Director, Clean Rivers Program

DC Water

1:13-1:18 Remarks

**Tara Morrison** 

Superintendent National Capital Parks - East

U. S. National Park Service

1:18 Introduction of Henderson J. Brown, IV

**Carlton Ray** 

Director, Clean Rivers Program

DC Water

1:18-1:23 Remarks

Henderson J. Brown, IV

Interim CEO and General Manager

DC Water

1:23 Introduction of Dave Ross, EPA

**Carlton Ray** 

Director, Clean Rivers Program

DC Water

1:23-1:28 Remarks

**Dave Ross** 

Assistant Administrator for the Office of Water

U.S. EPA

1:28 Introduction of Tommy Wells

**Carlton Ray** 

Director, Clean Rivers Program

DC Water

1:28-1:33 Remarks

**Tommy Wells** 

Director, DOEE and DC Water Board Chair

1:33 Introduction of Henderson J. Brown, IV

**Carlton Ray** 

Director, Clean Rivers Program

DC Water

1:33-1:38 Remarks

1:38 Introduction of Dennis Chestnut

**Carlton Ray** 

Director, Clean Rivers Program

DC Water

1:38-1:43 Remarks

**Dennis Chestnut** 

Former Executive Director of Groundwork Anacostia River DC

Lifelong District Ward 7 resident

1:43 Additional Remarks

**Carlton Ray** 

Director, Clean Rivers Program

DC Water

\*\*\*\*\*

1:50 Drumroll (cued by Lilia Ledezma)

1:50- 2:00 Photo opp of crane lifting fourth gate into position

2:00-2:30 View dropshaft, Jackson Flats plays, display boards, light refreshments

From: Hubbard, Carolyn [Hubbard.Carolyn@epa.gov]

**Sent**: 3/27/2018 2:05:30 PM

**To**: Drinkard, Andrea [Drinkard.Andrea@epa.gov]

CC: Mattas-Curry, Lahne [Mattas-Curry.Lahne@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Maguire,

Megan [Maguire.Megan@epa.gov]; Wadlington, Christina [Wadlington.Christina@epa.gov]

**Subject**: Re: HEADS UP: PFAS RFA scheduled to go out in April

Just FYI our folks plan to share the RFA w Peter Grevatt and others, but they may make some changes to it, so stay tuned. I may have provided this heads up prematurely so take it as just that- a heads up. Will keep you posted. Thanks!

Carolyn Hubbard
Communications Director
EPA Office of Research and Development
202-564-2189

Ex. © Personal Privacy (PP)

On Mar 26, 2018, at 2:04 PM, Drinkard, Andrea < Drinkard. Andrea@epa.gov> wrote:

Ha! On the deletion.

We should think about the press strategy; I don't know enough to say one way or the other. Do you know if this goes through the process with John K?

From: Mattas-Curry, Lahne

**Sent:** Monday, March 26, 2018 1:48 PM

To: Drinkard, Andrea <<u>Drinkard.Andrea@epa.gov</u>>; Grantham, Nancy <<u>Grantham.Nancy@epa.gov</u>>
Cc: Maguire, Megan <<u>Maguire.Megan@epa.gov</u>>; Hubbard, Carolyn <<u>Hubbard.Carolyn@epa.gov</u>>;

Wadlington, Christina < <u>Wadlington.Christina@epa.gov</u>> **Subject:** RE: HEADS UP: PFAS RFA scheduled to go out in April

# Ex. 5 Deliberative Process (DP)

I'd be open to feedback, though?

Just FYI: The one-pager is not meant to be a release, it was for internal purposes only. And the news links were deleted on the most recent version I just got about 30 minutes ago.

From: Drinkard, Andrea

Sent: Monday, March 26, 2018 1:45 PM

To: Mattas-Curry, Lahne < Mattas-Curry, Lahne@epa.gov >; Grantham, Nancy

<Grantham.Nancy@epa.gov>

Cc: Maguire, Megan < Maguire. Megan@epa.gov>; Hubbard, Carolyn < Hubbard. Carolyn@epa.gov>;

Wadlington, Christina < <u>Wadlington.Christina@epa.gov</u>>

Subject: RE: HEADS UP: PFAS RFA scheduled to go out in April

Is there a plan to do any press on the RFA? My only comment at the moment is that Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

Thanks.

From: Mattas-Curry, Lahne

Sent: Monday, March 26, 2018 12:14 PM

To: Grantham, Nancy <<u>Grantham.Nancy@epa.gov</u>>; Drinkard, Andrea <<u>Drinkard.Andrea@epa.gov</u>>
Cc: Maguire, Megan <<u>Maguire.Megan@epa.gov</u>>; Hubbard, Carolyn <<u>Hubbard.Carolyn@epa.gov</u>>

Subject: HEADS UP: PFAS RFA scheduled to go out in April

# Hi everyone:

Heads up that a PFAS research RFA will go out in April. This one-pager explains the RFA and how it was mandated. This is a National Priorities grant.

Attached one-pager has more information.

Below is a quick description.

# Ex. 5 Deliberative Process (DP)

OW, OCSPP, and ORD along with regions contributed to writing the RFA.

Let me know if you have any questions. Lahne

202-564-3165

From: Davis, Alison [Davis.Alison@epa.gov]

**Sent**: 6/5/2017 5:38:57 PM

To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]

Subject: FW: Aclima-Google street view car Oakland study announcement

Making sure this is on your radar -

From: Brown, Ann

Sent: Monday, June 05, 2017 8:48 AM

To: Costa, Dan <Costa.Dan@epa.gov>; Vette, Alan <Vette.Alan@epa.gov>; Schultz, Laurel <Schultz.Laurel@epa.gov>; Hassett-Sipple, Beth <Hassett-Sipple.Beth@epa.gov>; Miller, Andy <Miller.Andy@epa.gov>; Winner, Darrell <Winner.Darrell@epa.gov>; Baker, Kirk <Baker.Kirk@epa.gov>; Katz, Stacey <Katz.Stacey@epa.gov>; Robarge, Gail <Robarge.Gail@epa.gov>; Kim, Nicole Y <kim.nicoley@epa.gov>; Priester, Nicolle <priester.nicolle@epa.gov>; Hubbard, Carolyn <Hubbard.Carolyn@epa.gov>; Maguire, Megan <Maguire.Megan@epa.gov>; Hagler, Gayle <Hagler.Gayle@epa.gov>; Smith, Emily J. <Smith.Emily@epa.gov>; Solomon, Paul <Solomon.Paul@epa.gov>; Kaushik, Surender <Kaushik.Surender@epa.gov>; Reece, Stephen <reece.stephen@epa.gov>; Small, Matthew <Small.Matthew@epa.gov>; Noonan, Jenny <Noonan.Jenny@epa.gov>; Zito, Kelly <ZITO.KELLY@EPA.GOV>; Davis, Alison <Davis.Alison@epa.gov>

Subject: Aclima-Google street view car Oakland study announcement

Hi everyone: Several news articles already on the Aclima announcement. Their news release went out under embargo and was released today. The study is published in ES&T. No EPA authors on the paper.

Here is the news release: <a href="https://aclima.io/press/google-aclima-edf-and-ut-austin-announce-results-of-breakthrough-study-mapping-air-quality/">https://aclima.io/press/google-aclima-edf-and-ut-austin-announce-results-of-breakthrough-study-mapping-air-quality/</a>

Here is their video: https://blog.aclima.io/aclima-google-edf-map-air-quality-oakland-aad28c67859b

#### ES&T article:

http://pubs.acs.org/doi/full/10.1021/acs.est.7b00891

### **CNNMoney**

http://money.cnn.com/2017/06/05/technology/google-street-view-edf-air-quality-oakland/index.html

# Wired

https://www.wired.com/2017/06/race-pollution-sensing-tech-oakland/

Environmental Defense Fund (they are partners in the study)

https://www.edf.org/airqualitymaps

Best,

Ann Brown

Communications Lead
Air, Climate, and Energy Research Program
U.S. Environmental Protection Agency
Research Triangle Park, NC
Work: 919-541-7818
Mobile: [Ex. 6 Personal Privacy (PP)]
brown.ann@epa.gov

From: Dennis, Allison [Dennis.Allison@epa.gov]

**Sent**: 6/26/2017 5:59:03 PM

**To**: Drinkard, Andrea [Drinkard.Andrea@epa.gov]

**Subject**: FW: For your review - draft package describing withdrawal process for July 2014 Pebble Proposed Determination **Attachments**: Background and Process for Proposal to Withdraw PD.docx; ATT00001.htm; Draft FRN for 7-11-17 Announcing PD

Withdrawal Process.docx; ATT00002.htm; Draft FRN Announcing Public Comment Process on PD Withdrawl.docx;

ATT00003.htm

#### Close hold

From: Lousberg, Macara

**Sent:** Monday, June 26, 2017 11:22 AM **To:** Dennis, Allison < Dennis. Allison@epa.gov>

Subject: FW: For your review - draft package describing withdrawal process for July 2014 Pebble Proposed

Determination

FYI

From: Shapiro, Mike

Sent: Monday, June 26, 2017 9:03 AM

To: Forsgren, Lee < Forsgren, Lee@epa.gov>; Campbell, Ann < Campbell, Ann@epa.gov>; Lousberg, Macara

<Lousberg.Macara@epa.gov>

Subject: Fwd: For your review - draft package describing withdrawal process for July 2014 Pebble Proposed

Determination

Michael Shapiro Deputy Assistant Administrator US EPA, Office of Water

# Begin forwarded message:

From: "Hough, Palmer" < Hough.Palmer@epa.gov>

Date: June 22, 2017 at 8:13:47 PM EDT

To: "Shapiro, Mike" <Shapiro.Mike@epa.gov>, "Best-Wong, Benita" <Best-Wong, Benita@epa.gov>
Cc: "Goodin, John" <Goodin.John@epa.gov>, "Eisenberg, Mindy" <Eisenberg.Mindy@epa.gov>, "Kaiser, Russell" <Kaiser.Russell@epa.gov>, "Bennett, Brittany" <bennett.brittany@epa.gov>, "Nalven, Heidi" <Nalven.Heidi@epa.gov>, "Wehling, Carrie" <Wehling.Carrie@epa.gov>, "Palomaki, Ashley" <Palomaki.Ashley@epa.gov>, "Steiner-Riley, Cara" <Steiner-Riley.Cara@epa.gov>, "Allnutt, David" <Allnutt.David@epa.gov>, "Stern, Allyn" <Stern.Allyn@epa.gov>, "Shaw, Hanh" <Shaw.Hanh@epa.gov>
Subject: For your review - draft package describing withdrawal process for July 2014 Pebble Proposed Determination

# Mike/Benita:

Attached for your review is the latest package of documents to initiate EPA's process to propose to withdraw the July 2014 Pebble 404(c) Proposed Determination (PD) by the July 11, 2017 deadline called for in our settlement agreement with the Pebble Limited Partnership. John Goodin asked me to forward

these to you. After further discussion with OGC, ORC, and OW's tribal consultation lead, we have made a few modifications to the proposed withdrawal process. The recommended steps are:

# Ex. 5 Deliberative Process (DP)

The considerations for each of these steps are highlighted in the attached "Background and Process" document (2 pages).

As early as Monday, you will have an opportunity to sit down with Lee Forsgren and Sarah Greenwalt. Let us know if you think this is an appropriate time to brief them on this matter and John will be prepared to do so.

Regarding timing, our goal is still to try and have

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Thanks, Palmer

Palmer Hough, Environmental Scientist

office: 202.566.1374

Office of Wetlands, Oceans, and Watersheds U.S. EPA Headquarters (MC 4502T) 1200 Pennsylvania Avenue, NW Washington, DC 20460 www.epa.gov/wetlands

Message	M	es	sa	g	e
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From: Grevatt, Peter [Grevatt.Peter@epa.gov]

**Sent**: 3/6/2018 12:58:28 PM

To: Grantham, Nancy [Grantham.Nancy@epa.gov]
CC: Drinkard, Andrea [Drinkard.Andrea@epa.gov]

**Subject**: Re: does OP have any existing contracts that can do comms work?

Very timely! I'm doing a talk in NE DC ar 8:10 and hope to be back by 10.

Sent from my iPhone

On Mar 6, 2018, at 7:49 AM, Grantham, Nancy < Grantham.Nancy@epa.gov > wrote:

<image002.gif>

Peter and andrea – so we have an option -- let's discuss when convenient.

Thanks ng

Nancy Grantham Office of Public Affairs US Environmental Protection Agency 202-564-6879 (desk)

Ex. 6 Personal Privacy (PP) (MODILE)

From: Shaw, Nena

Sent: Tuesday, March 06, 2018 7:37 AM

To: Grantham, Nancy < Grantham. Nancy@epa.gov >; Germann, Sandy < Germann. Sandy@epa.gov >

Subject: RE: does OP have any existing contracts that can do comms work?

Well	Ex. 5 Deliberative Process (DP)	
Ex. 5 Deliberative Process (DP)		
Ex. 5 Deliberative Proces	s (DP) quickly. Just let me know. Nena	

From: Grantham, Nancy

Sent: Monday, March 05, 2018 5:56 PM

To: Shaw, Nena <<u>Shaw.Nena@epa.gov</u>>; Germann, Sandy <<u>Germann.Sandy@epa.gov</u>>

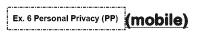
Subject: does OP have any existing contracts that can do comms work?

For instance the one that did	Ex. 5 Deliberative Process (DP)
?	

One that could help with messaging on **Ex. 5 Deliberative Process (DP)** ?

Please keep this close hold thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)



From: Drinkard, Andrea [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=808A6B7B65BF447F93DAD2F510FEAF61-ADRINKAR]

**Sent**: 7/19/2019 8:53:08 PM

**To**: Beth Graves [bgraves@ecos.org]

CC: Snyder, Jessica [Snyder.Jessica@epa.gov]; Richardson, RobinH [Richardson.RobinH@epa.gov]; Harbour, Shana

[Harbour.Shana@epa.gov]; Battin, Andrew [Battin.Andrew@epa.gov]

Subject: RE: sharing - ITRC draft risk communications toolkit for contaminants of emerging concern

# Hi Beth,

Can we have a quick chat on next week? I'm looking through the risk comms materials and the PFAS Q&As that have been developed and I'm starting to feel like we are in fact duplicating efforts, or rather we could easily be headed in that direction. I know work has been underway for quite some time on this and you've been working closely with others at EPA, so my apologies for making this ask, I just want to make sure I have a good understanding of the lay of the land before we embark on this joint effort!

From: Beth Graves <br/>
Sent: Friday, July 19, 2019 1:05 PM

To: Drinkard, Andrea < Drinkard. Andrea@epa.gov>

**Cc:** Snyder, Jessica <Snyder.Jessica@epa.gov>; Battin, Andrew <Battin.Andrew@epa.gov>; Harbour, Shana <Harbour.Shana@epa.gov>; Patricia Reyes cos.org>; Tadbir Singh <tsingh@ecos.org>; Beth Graves <br/>cos.org>

Subject: Re: sharing - ITRC draft risk communications toolkit for contaminants of emerging concern

I think a smaller review may be best as there are already EPA staff on the ITRC team taking a look. With this said, you have a sense of individuals best.

On Fri, Jul 19, 2019 at 12:24 PM Drinkard, Andrea < Drinkard. Andrea@epa.gov wrote:

Thank you, Beth. I will send it around to folks here and will try to get feedback next week. Would you prefer a smaller review circle or is the full risk comms workgroup ok? Just trying to gauge how close hold your document is.

# Thanks!

On Jul 19, 2019, at 11:41 AM, Beth Graves < bgraves@ecos.org > wrote:

Andrea.

I checked with ITRC staff at ECOS and they encouraged me to share the attached draft "Risk Communications Toolkit for Contaminants of Emerging Concern" with EPA staff as a number of EPA staff are already engaged. ITRC would be interested in any feedback you might have. I am not sure of their timeframe but anticipate input sooner would be more helpful if to be considered prior to publication.

Please note this document is still draft and under team review so would ask that you please keep among EPA staff at this time. It can be shared broadly once finalized.

I have copied Patty Reyes, ITRC Director and Tadbir Singh, lead ITRC staff on this message who may add to this note.

Beth

--

**Beth Graves** 

**Executive Project Manager** 

**ECOS** 

Ex. 6 Personal Privacy (PP)

bgraves@ecos.org

New ECOS Office Address: 1250 H St., NW, Ste. 850, Washington, D.C. 20005

Twitter: @ECOStates

Look - Share - Collaborate: Check out <a href="www.eecip.net">www.eecip.net</a> (the E-Enterprise Community Inventory Platform)
To learn more about E-Enterprise for the Environment, visit <a href="http://E-EnterprisefortheEnvironment.net/">http://E-EnterprisefortheEnvironment.net/</a>

<ITRC Risk Communications Toolkit - Team Review May 2019 draft.docx>

--

Beth Graves Executive Project Manager

EX. 6 Personal Privacy (PP)

bgraves@ecos.org

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Twitter: @ECOStates

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From: Drinkard, Andrea [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=808A6B7B65BF447F93DAD2F510FEAF61-ADRINKAR]

**Sent**: 7/19/2019 5:32:30 PM

**To**: Beth Graves [bgraves@ecos.org]

CC: Snyder, Jessica [Snyder.Jessica@epa.gov]; Battin, Andrew [Battin.Andrew@epa.gov]; Harbour, Shana

[Harbour.Shana@epa.gov]; Patricia Reyes [preyes@ecos.org]; Tadbir Singh [tsingh@ecos.org]; Beth Graves

[bgraves@ecos.org]

Subject: RE: sharing - ITRC draft risk communications toolkit for contaminants of emerging concern

Got it. Thanks. It may already be with the folks I was thinking about, so checking in now to make sure we're not doubling up.

From: Beth Graves <a href="mailto:specifications.com">bgraves@ecos.org</a></a><br/>
Sent: Friday, July 19, 2019 1:05 PM

To: Drinkard, Andrea < Drinkard. Andrea@epa.gov>

<bgraves@ecos.org>

Subject: Re: sharing - ITRC draft risk communications toolkit for contaminants of emerging concern

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Thanks!

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Please note this document is still draft and under team review so would ask that you please keep among EPA staff at this time. It can be shared broadly once finalized.

I have copied Patty Reyes, ITRC Director and Tadbir Singh, lead ITRC staff on this message who may add to this note.

Beth

--

**Beth Graves** 

**Executive Project Manager** 

# **ECOS**

Ex. 6 Personal Privacy (PP)

bgraves@ecos.org

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Twitter: @ECOStates

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To learn more about E-Enterprise for the Environment, visit <a href="http://E-EnterprisefortheEnvironment.net/">http://E-EnterprisefortheEnvironment.net/</a>

<ITRC Risk Communications Toolkit - Team Review May 2019 draft.docx>

--

Beth Graves Executive Project Manager ECOS

ex. 6 Personal Privacy (PP) bgraves@ecos.org

New ECOS Office Address: 1250 H St., NW, Ste. 850, Washington, D.C. 20005

Twitter: @ECOStates

Look - Share - Collaborate: Check out <a href="www.eecip.net">www.eecip.net</a> (the E-Enterprise Community Inventory Platform)
To learn more about E-Enterprise for the Environment, visit <a href="http://E-EnterprisefortheEnvironment.net/">http://E-EnterprisefortheEnvironment.net/</a>

From: Drinkard, Andrea [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=808A6B7B65BF447F93DAD2F510FEAF61-ADRINKAR]

**Sent**: 7/19/2019 4:24:31 PM

**To**: Beth Graves [bgraves@ecos.org]

CC: Snyder, Jessica [Snyder.Jessica@epa.gov]; Battin, Andrew [Battin.Andrew@epa.gov]; Harbour, Shana

[Harbour.Shana@epa.gov]; Patricia Reyes [preyes@ecos.org]; Tadbir Singh [tsingh@ecos.org]

Subject: Re: sharing - ITRC draft risk communications toolkit for contaminants of emerging concern

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Thanks!

On Jul 19, 2019, at 11:41 AM, Beth Graves < bgraves@ecos.org > wrote:

Andrea,

I checked with ITRC staff at ECOS and they encouraged me to share the attached draft "Risk Communications Toolkit for Contaminants of Emerging Concern" with EPA staff as a number of EPA staff are already engaged. ITRC would be interested in any feedback you might have. I am not sure of their timeframe but anticipate input sooner would be more helpful if to be considered prior to publication.

Please note this document is still draft and under team review so would ask that you please keep among EPA staff at this time. It can be shared broadly once finalized.

I have copied Patty Reyes, ITRC Director and Tadbir Singh, lead ITRC staff on this message who may add to this note.

Beth

--

Beth Graves

Executive Project Manager

**ECOS** 

Ex. 6 Personal Privacy (PP)

bgraves@ecos.org

New ECOS Office Address: 1250 H St., NW, Ste. 850, Washington, D.C. 20005

Twitter: @ECOStates

Look - Share - Collaborate: Check out <u>www.eecip.net</u> (the E-Enterprise Community Inventory

Platform)

To learn more about E-Enterprise for the Environment, visit http://E-

EnterprisefortheEnvironment.net/

<ITRC Risk Communications Toolkit - Team Review May 2019 draft.docx>

From: Drinkard, Andrea [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=808A6B7B65BF447F93DAD2F510FEAF61-ADRINKAR]

**Sent**: 2/19/2019 7:24:07 PM

To: Wadlington, Christina [Wadlington.Christina@epa.gov]; Aguirre, Janita [Aguirre.Janita@epa.gov]; Tiago, Joseph

[Tiago.Joseph@epa.gov]; Mejias, Melissa [mejias.melissa@epa.gov]

**Subject**: RE: more info - FW: PFAS & Ag

I had the same question!! ©

From: Wadlington, Christina

Sent: Tuesday, February 19, 2019 2:23 PM

To: Aguirre, Janita <Aguirre.Janita@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Tiago, Joseph

<Tiago.Joseph@epa.gov>; Mejias, Melissa <mejias.melissa@epa.gov>

Subject: RE: more info - FW: PFAS & Ag

Janita,

Can you clarify what you mean "edits"? **Ex. 5 Deliberative Process (DP)** which we likely wouldn't edit)?

From: Aguirre, Janita

Sent: Tuesday, February 19, 2019 1:46 PM

To: Drinkard, Andrea < Drinkard.Andrea@epa.gov >; Mclain, Jennifer < Mclain.Jennifer@epa.gov >; Tiago, Joseph

<Tiago.Joseph@epa.gov>; Wadlington, Christina <Wadlington.Christina@epa.gov>; Mejias, Melissa

<mejias.melissa@epa.gov>

Subject: more info - FW: PFAS & Ag

Importance: High

Melissa received this from Tate's office, which provides more information for the PFAS & Ag meeting. Please keep this as a close hold.

Note that this may also be covered today at 3pm if there is time.

**Andrea** – any edits from the OW comms/messaging perspective? If so, please let Melissa know.

Thank you,

Janita

# Janita Aguirre - Special Assistant

U.S. Environmental Protection Agency | Office of Water Phone: (202) 566-1149 | Email: aguirre.janita@epa.gov

From: Mejias, Melissa

**Sent:** Tuesday, February 19, 2019 1:23 PM **To:** Aguirre, Janita < Aguirre. Janita@epa.gov>

Subject: Fwd: PFAS & Ag

Sent from my iPhone

# Begin forwarded message:

From: "Bennett, Tate" < Bennett.Tate@epa.gov>

**Date:** February 19, 2019 at 1:18:44 PM EST

To: "Mejias, Melissa" < mejias.melissa@epa.gov >

Cc: "Eby, Natasha" <eby.natasha@epa.gov>, "Molina, Michael" <molina.michael@epa.gov>, "Beach,

Christopher" <beach.christopher@epa.gov>

Subject: PFAS & Ag

Any edits, OW? Melissa- there is a chance they can tackle this in today's 3 PM meeting and not do tomorrow. Call me and I will explain further. Ex. 6 Personal Privacy (PP)

Natasha- Attached is Ex. 5 Deliberative Process (DP)

**Ex. 5 Deliberative Process (DP)** OW might have some edits to the work doc and so Melissa can get you the final version on that. Dave and I set up this meeting to talk through messaging with AAW prior to his speech to talk through messaging.

From: Drinkard, Andrea [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=808A6B7B65BF447F93DAD2F510FEAF61-ADRINKAR]

**Sent**: 2/13/2019 2:40:53 PM

To: Taheri, Diane [Taheri.Diane@epa.gov]
Subject: Fwd: PFAS Action Plan - almost final

Attachments: PFAS Action Plan MASTER\_02.11.19\_9pm edits.docx; ATT00001.htm

I missed this yesterday!!

# Begin forwarded message:

From: "Mclain, Jennifer" < Mclain. Jennifer@epa.gov>

To: "Leadership\_Regional\_Administrators" < Leadership\_Regional\_Administrators@epa.gov>, "Wildeman, Anna" < wildeman.anna@epa.gov >, "Forsgren, Lee" < Forsgren, Lee@epa.gov >, "Kramer, Jessica L." <a href="mailto:lessical@epa.gov">"Szaro, Deb" <5 href="mailto:szaro.Deb@epa.gov">"Mugdan, Walter" | Szaro.Deb@epa.gov">"Mugdan, Walter">"Mugdan, Walter | Szaro.Deb@epa.gov<">"Mugdan, Walter | Szaro.Deb.gov<">"Mugdan, Walter | < <u>Mugdan.Walter@epa.gov</u>>, "Rodrigues, Cecil" < <u>rodrigues.cecil@epa.gov</u>>, "Holst, Linda" <holst.linda@epa.gov>, "Thiede, Kurt" <thiede.kurt@epa.gov>, "Gray, David" <gray.david@epa.gov>, "Chu, Ed" <Chu.Ed@epa.gov>, "Thomas, Deb" <thomas.debrah@epa.gov>, "Jordan, Deborah" <Jordan.Deborah@epa.gov>, "Pirzadeh, Michelle" <Pirzadeh.Michelle@epa.gov>, "Heard, Anne" <heard.Anne@epa.gov>, "O'Connor, Darcy" <oconnor.darcy@epa.gov>, "Walker, Mary" <walker.mary@epa.gov>, "Dunn, Alexandra" <dunn.alexandra@epa.gov>, "Ross, David P" <ross.davidp@epa.gov>, "Beck, Nancy" <Beck.Nancy@epa.gov>, "Dunlap, David" <dunlap.david@epa.gov>, "Bodine, Susan" < bodine.susan@epa.gov>, "Wehrum, Bill" <Wehrum.Bill@epa.gov>, "Bolen, Brittany" <bolen.brittany@epa.gov>, "Wright, Peter" <wright.peter@epa.gov>, "Leopold, Matt (OGC)" < Leopold.Matt@epa.gov>, "Breen, Barry" <Breen.Barry@epa.gov>, "Starfield, Lawrence" <Starfield, Lawrence@epa.gov> Cc: "Regional Public Affairs Directors" < Regional Public Affairs Directors@epa.gov>, "Drinkard, Andrea" < Drinkard. Andrea@epa.gov>, "Wadlington, Christina" < Wadlington. Christina@epa.gov>, "Block, Molly" < block.molly@epa.gov>, "Konkus, John" < konkus.john@epa.gov>, "Burneson, Eric" <Burneson.Eric@epa.gov>, "Nickerson, William" < Nickerson.William@epa.gov>, "Tiago, Joseph" <Tiago.Joseph@epa.gov>

Subject: PFAS Action Plan - almost final

internal/close hold

EPA PFAS team -

Attached is an almost final version of the PFAS Action Plan, this has the final text but the file is still undergoing QA/formatting. Again, I want to extend our thanks to you and your staffs for your impressive work over the year on stakeholder engagement and development of this plan. This has truly been a team effort and it has been our pleasure to work with you.

We are working hard to get roll out materials to you as quickly as possible. In the meantime, if you have questions about anything in the PFAS Action Plan, please let me know.

Best, Jennifer

From: Drinkard, Andrea [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=808A6B7B65BF447F93DAD2F510FEAF61-ADRINKAR]

**Sent**: 2/4/2019 4:20:39 PM

To: Ross, David P [ross.davidp@epa.gov]; Kramer, Jessica L. [kramer.jessical@epa.gov]; Mclain, Jennifer

[Mclain.Jennifer@epa.gov]; Wadlington, Christina [Wadlington.Christina@epa.gov]; Forsgren, Lee

[Forsgren.Lee@epa.gov]

Subject: Fwd: PFOA

FYI

# Begin forwarded message:

From: "Mears, Mary" < Mears. Mary@epa.gov > Date: February 4, 2019 at 11:11:02 AM EST

To: "Grantham, Nancy" < Grantham. Nancy@epa.gov>, "Drinkard, Andrea" < Drinkard. Andrea@epa.gov>,

"Richardson, RobinH" < Richardson. RobinH@epa.gov>

Cc: "Kluesner, Dave" <kluesner.dave@epa.gov>

Subject: PFOA

Hi Nancy, Robin and Andrea,

FYI see below related to PFOA and SOTU. We have also just got a media inquiry from NY Newsday asking for a response to a planned media event from Senator Schumer plans today. According to reporter, Senator Schumer will ask EPA to "reverse course on a likely imminent decision to not set drinking water standards for highly toxic chemicals already found on Long Island."

From: Kluesner, Dave

**Sent:** Monday, February 4, 2019 9:45 AM **To:** Mears, Mary < <u>Mears.Mary@epa.gov</u>>

Cc: Rini, Sophia <Rini.Sophia@epa.gov>; Romanowski, Larisa <Romanowski, Larisa@epa.gov>; Kandil,

Shereen < Kandil. Shereen@epa.gov > Subject: this will be of interest to Pete

Importance: High

#### ALBANY TIMES UNION

# Hoosick Falls environmental advocate to attend State of the Union

February 3, 2019

Hoosick Falls resident Michael Hickey, who exposed toxic chemicals polluting water in his Rensselaer County village, will attend the State of the Union in Washington D.C. Tuesday as the guest of U.S. Rep. Antonio Delgado.

Hickey said he was honored and grateful to be joining Delgado.

"Putting a spotlight on the poisoning of residents of Hoosick Falls and Petersburgh is exactly what we need to spur action on a local and national level," a statement to the Times Union read.

After the death of his father from cancer, Hickey began testing local water for contaminants. He discovered that a toxic chemical PFOA, emitted from factories nearby, polluted water supplies in and around the village of Hoosick Falls.

The Times Union reported the discovery in December 2015. The story also revealed that village and state officials downplayed the problem for more than a year and did not warn residents that the water was unsafe to drink, possibly to protect their efforts to revive the local economy.

Within a week of publication, the U.S. Environmental Protection Agency (EPA) demanded the village warn residents to stop drinking the water. Two months later, the state of New York declared the village would become a Superfund site designated for federally funded clean-up.

In 2016, Hickey **sued two companies** that operated the manufacturing plants which caused the contaminants. He and other Hoosick Falls residents, including mayor Rob Allen elected in 2017, have pushed for compensation and systemic change as the problem persists. A **recent survey** discovered rates of illnesses and cancer caused by pollution were higher than previously estimated.

Delgado, serving his first term as representative for the 19th Congressional District which includes Hoosick Falls, said the situation is **one of his top regional concerns**.

"I've seen personally the devastating effects that PFOA chemicals have had on our communities and on families like Michael Hickey's. He is a true hero in what he has done to spur action," a statement from the representative to the Times Union read. "I'm pleased he will join me for the State of the Union as we send a powerful message that this crisis cannot be ignored. I am committed to working with members on both sides of the aisle to take decisive steps to address water contamination. And I will be a strong voice urging the Administration to step up its efforts to protect the health and safety of communities in Upstate New York and across the country."

Last week, Delgado **sent a letter** to EPA's Acting Administrator Andrew Wheeler urging him to include a commitment to set maximum contaminant levels for the toxic chemicals PFOA and PFAS. Delgado's letter said that the agency's National Management Plan, overdue after a scheduled release in fall 2018, is rumored to not include a maximum level.

Delgado's guest will highlight the issue on a national stage. This year's State of the Union delivered by the President, an annual tradition, was delayed because of the longest shutdown in U.S. history. Speaker of the House Nancy Pelosi refused to invite President Donald Trump to give the speech in the House but conceded after the shutdown was temporarily ended.

Every member of Congress can bring one guest to the event. The President and the Speaker of the House may invite up to 24 guests each in their designated boxes.

Congressman Paul Tonko is bringing Gene Karpinski, president of the League of Conservation Voters and a leading national voice for climate action and environmental advocacy.

Congresswoman Elise Stefanik invited Steve Bowman, an Air Force veteran from Plattsburgh, who is the director of the Clinton County Veterans Services Agency.

Hoosick Falls Mayor Rob Allen, who announced Hickey's invitation on Twitter Saturday, said two other advocates from PFAS contaminated communities will attend the State of the Union address Tuesday.

New Hampshire Senator Jeanne Shaheen invited Andrea Amico from grassroots group "Testing for Pease." According to the organization's website, Amico started advocacy after tests exposed water contamination on Pease Air National Guard Base near Portsmouth in 2014. She was personally affected: her husband was employed for a company on Pease for almost 9 years and both of her children attended daycare there since they were 12 weeks old.

Michigan U.S. Rep. Dan Kildee invited Cathy Wusterbarth. According to his office's press release, Wusterbarth is a resident of Oscoda that surrounds former Wurtsmith Air Force Base. PFAS chemicals from the base seeped into surrounding groundwater wells and pose a threat to drinking water sources in Oscoda and across the country.

Kildee's district also includes Flint, where tests in 2015 confirmed dangerous levels of lead in the town's drinking water.

Delgado told reporters a week after he took office that he is working with Kildee and other representatives of affected districts to champion for clean water.

# David W. Kluesner











U.S. Environmental Protection Agency, Region 2
Deputy Director, Public Affairs
290 Broadway, 26<sup>th</sup> Floor
New York, NY 10007
212.637.3653 (Office)

Ex. 6 Personal Privacy (PP) (Cell)

From: Drinkard, Andrea [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=808A6B7B65BF447F93DAD2F510FEAF61-ADRINKAR]

**Sent**: 10/11/2018 10:32:35 PM

To: Grevatt, Peter [Grevatt.Peter@epa.gov]; Mclain, Jennifer [Mclain.Jennifer@epa.gov]; Forsgren, Lee

[Forsgren.Lee@epa.gov]; Ross, David P [ross.davidp@epa.gov]; Wadlington, Christina

[Wadlington.Christina@epa.gov]; Campbell, Ann [Campbell.Ann@epa.gov]

Subject: Fwd: FOR ACTION: DRAFT EPA Statement on Newark lead in drinking water

Attachments: DRAFT Newark lead in drinking water Statement HQ REVIEW VERSION.docx; ATT00001.htm; Newark Lead -- DRAFT

DELIBERATIVE 11OCT10 345PM.DOCX; ATT00002.htm

FYI and please let me know ASAP if there are any issues/edits with the statement below.

Thanks!

Begin forwarded message:

From: "Mears, Mary" < Mears. Mary@epa.gov > Date: October 11, 2018 at 6:22:19 PM EDT

To: "Drinkard, Andrea" < Drinkard.Andrea@epa.gov >, "Grantham, Nancy" < Grantham.Nancy@epa.gov >,

"Hughes, Hayley" < hughes.hayley@epa.gov>

Cc: "Gratz, Jeff" <Gratz.Jeff@epa.gov>, "Evangelista, Pat" <Evangelista.Pat@epa.gov>, "Laureano,

Javier" <faureano.javier@epa.gov>

Subject: FOR ACTION: DRAFT EPA Statement on Newark lead in drinking water

Good evening, Nancy, Andrea and Hayley,

Tomorrow, Newark is holding a press conference to discuss its plans to distribute free filters as a first step in addressing recently discovered lead in drinking water issues. NJDEP does not plan to attend the press conference, but the NJ Governor's office plans to issue a news release tomorrow morning (attached is a **close hold draft** that NJ asked us not to share outside of necessary EPA staff).

Region 2 developed and NJDEP concurred on the statement below (and attached) to release to the media tomorrow after the 11:00am conference as Ex. 5 Deliberative Process (DP) (Nancy, this is a change from our discussion – Pete and Catherine agreed and he called me just now).

Pete also wants to be sure that Dave Ross is comfortable with the statement, so if you can share this, Andrea, that would be terrific.

I am in early tomorrow and will be available if you have questions or concerns. Mary

Mary Mears Region 2 Public Affairs Director (212) 637-3673 Ex. 6 Personal Privacy (PP) (Cell)

# Statement from EPA on Newark lead in drinking water Draft 10/11/2018

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: Drinkard, Andrea [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=808A6B7B65BF447F93DAD2F510FEAF61-ADRINKAR]

**Sent**: 10/12/2018 12:27:16 PM

**To**: Ross, David P [ross.davidp@epa.gov]

CC: Mclain, Jennifer [Mclain.Jennifer@epa.gov]; Grevatt, Peter [Grevatt.Peter@epa.gov]; Forsgren, Lee

[Forsgren.Lee@epa.gov]; Wadlington, Christina [Wadlington.Christina@epa.gov]; Campbell, Ann

[Campbell.Ann@epa.gov]

Subject: Re: FOR ACTION: DRAFT EPA Statement on Newark lead in drinking water

Great, thanks so much! R2 has updated the statement to reflect the edit. OPA is reviewing now. I'll share the final once I have it.

On Oct 12, 2018, at 8:04 AM, Ross, David P < ross.davidp@epa.gov > wrote:

Yes, it is. Otherwise looks good to me. Thanks folks.

Sent from my iPad

On Oct 11, 2018, at 6:57 PM, Drinkard, Andrea < Drinkard. Andrea@epa.gov> wrote:

Thanks! I will flag both. Would **Ex. 5 Deliberative Process (DP)** ?

On Oct 11, 2018, at 6:49 PM, Mclain, Jennifer < <a href="Mclain\_Jennifer@epa.gov">Mclain\_Jennifer@epa.gov</a> wrote:

Two points:

Ex. 5 Deliberative Process (DP)

Not sure what the recommendations are but the language is fine.

Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

Jennifer

On Oct 11, 2018, at 6:32 PM, Drinkard, Andrea <a href="mailto:Drinkard.Andrea@epa.gov">Drinkard.Andrea@epa.gov</a>> wrote:

FYI and please let me know ASAP if there are any issues/edits with the statement below.

Thanks!

#### Begin forwarded message:

From: "Mears, Mary" < Mears.Mary@epa.gov>

Date: October 11, 2018 at 6:22:19 PM

**EDT** 

To: "Drinkard, Andrea"

<Drinkard.Andrea@epa.gov>,

"Grantham, Nancy"

<<u>Grantham.Nancy@epa.gov</u>>, "Hughes,

Hayley" < hughes.hayley@epa.gov>

Cc: "Gratz, Jeff" < Gratz.Jeff@epa.gov>,

"Evangelista, Pat"

< <u>Evangelista.Pat@epa.gov</u>>, "Laureano,

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Ex. 5 Deliberative Process (DP)

change from our discussion – Pete and Catherine agreed and he called me just now).

Pete also wants to be sure that Dave Ross is comfortable with the statement, so if you can share this, Andrea, that would be terrific.

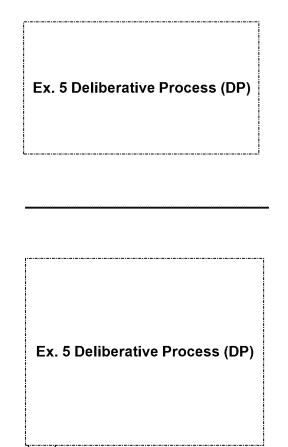
I am in early tomorrow and will be available if you have questions or concerns. Mary

Mary Mears
Region 2 Public Affairs Director
(212) 637-3673

Ex. 6 Personal Privacy (PP) (cell)

Statement from EPA on Newark lead in drinking water Draft 10/11/2018

Ex. 5 Deliberative Process (DP)



<DRAFT Newark lead in drinking water Statement
HQ REVIEW VERSION.docx>

<Newark Lead -- DRAFT DELIBERATIVE 11OCT10 345PM.DOCX>

From: Drinkard, Andrea [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=808A6B7B65BF447F93DAD2F510FEAF61-ADRINKAR]

**Sent**: 10/12/2018 12:33:00 AM

**To**: Mclain, Jennifer [Mclain.Jennifer@epa.gov]

Subject: Re: FOR ACTION: DRAFT EPA Statement on Newark lead in drinking water

Understood, Thanks!!

On Oct 11, 2018, at 8:26 PM, Mclain, Jennifer < <a href="Mclain.Jennifer@epa.gov">Mclain.Jennifer@epa.gov</a>> wrote:

I think Ex. 5 Deliberative Process (DP)
Ex. 5 Deliberative Process (DP)

Jennifer

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Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

Jennifer

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FYI and please let me know ASAP if there are any issues/edits with the statement below.

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From: "Mears, Mary" < Mears.Mary@epa.gov>

Date: October 11, 2018 at 6:22:19 PM

**EDT** 

To: "Drinkard, Andrea"

<Drinkard.Andrea@epa.gov>,

"Grantham, Nancy"

<<u>Grantham.Nancy@epa.gov</u>>, "Hughes,

Hayley" <hughes.hayley@epa.gov>

Cc: "Gratz, Jeff" < Gratz.Jeff@epa.gov>,

"Evangelista, Pat"

<<u>Evangelista.Pat@epa.gov</u>>, "Laureano,

Javier" < laureano.javier@epa.gov>

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Ex. 5 Deliberative Process (DP)

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Pete also wants to be sure that Dave Ross is comfortable with

the statement, so if you can share this, Andrea, that would be terrific.

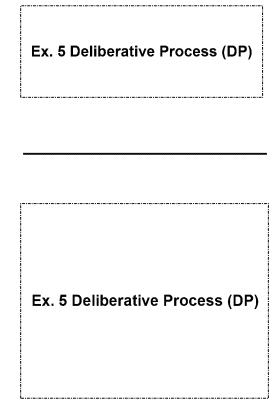
I am in early tomorrow and will be available if you have questions or concerns. Mary

Mary Mears
Region 2 Public Affairs Director
(212) 637-3673

EX. 6 Personal Privacy (PP) (Cell)

#### Statement from EPA on Newark lead in drinking water Draft 10/11/2018

Ex. 5 Deliberative Process (DP)



<DRAFT Newark lead in drinking water Statement
HQ REVIEW VERSION.docx>

<Newark Lead -- DRAFT DELIBERATIVE 11OCT10 345PM.DOCX>

From: Sent: To: Subject:	Drinkard, Andrea [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=808A6B7B65BF447F93DAD2F510FEAF61-ADRINKAR] 4/3/2018 11:20:58 PM Sawyers, Andrew [Sawyers.Andrew@epa.gov] Re: Ex. 5 Deliberative Process (DP)
Ex. 6 Personal Privacy (f	PP)
Sent from my iPhone	
On Apr 3, 2018, at 7:20 PM, Sawyers, Andrew < Sawyers. Andrew@epa.gov > wrote:	
What's your cell phone?	
On A	pr 3, 2018, at 4:15 PM, Drinkard, Andrea < <u>Drinkard.Andrea@epa.gov</u> > wrote:
	Sounds good. Andrew let's touch base tomorrow.
	What's the timing for delivering the pager?
	Sent from my iPhone
	On Apr 3, 2018, at 7:13 PM, Sawyers, Andrew < <u>Sawyers.Andrew@epa.gov</u> > wrote:
	Thanks Dave - will do.
	On Apr 3, 2018, at 4:11 PM, Ross, David P < <a href="mailto:ross.davidp@epa.gov">ross.davidp@epa.gov</a> wrote:
	Close hold – confidential; deliberative
	Andrew and Andrea,
	Ryan Jackson has asked for a one pager on the upcoming WIFIA loan approval for Ex. 5 Deliberative Process (DP)
	Ex. 5 Deliberative Process (DP)
	Thanks.
	Dave

From: Drinkard, Andrea [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=808A6B7B65BF447F93DAD2F510FEAF61-ADRINKAR]

**Sent**: 1/22/2018 7:14:17 PM

To: Dennis, Allison [Dennis.Allison@epa.gov]

Subject: FW: draft FRN regarding BB for your review (Close-Hold, please do not forward, share, or discuss outside this group)

Attachments: BristolBay\_v1\_pfh.docx

From: Hough, Palmer

Sent: Monday, January 22, 2018 1:28 PM

To: Drinkard, Andrea < Drinkard. Andrea@epa.gov>

Subject: RE: draft FRN regarding BB for your review (Close-Hold, please do not forward, share, or discuss outside this

group)

Here you go

From: Drinkard, Andrea

Sent: Monday, January 22, 2018 12:09 PM
To: Hough, Palmer < Hough, Palmer@epa.gov >

Subject: RE: draft FRN regarding BB for your review (Close-Hold, please do not forward, share, or discuss outside this

group)

Hey there! Good work on the draft FRN. Any chance you have a minute or two to take a look at this very draft press release? After you've had a chance to take a look, I'll share with a larger group. Just wanted to make sure I was on the right track first. Thanks.

From: Hough, Palmer

**Sent:** Friday, January 19, 2018 7:30 PM

To: Goodin, John < Goodin. John@epa.gov>; Eisenberg, Mindy < Eisenberg. Mindy@epa.gov>; Libertz, Catherine

<<u>Libertz.Catherine@epa.gov</u>>; Kaiser, Russell <<u>Kaiser.Russell@epa.gov</u>>; Neugeboren, Steven

<Neugeboren.Steven@epa.gov>; Allnutt, David <Allnutt.David@epa.gov>; Stern, Allyn <Stern.Allyn@epa.gov>; Holsman,

Marianne <Holsman.Marianne@epa.gov>; Murphy, Stacy <Murphy.Stacy@epa.gov>; Fordham, Tami

<<u>Fordham.Tami@epa.gov</u>>; Szerlog, Michael <<u>Szerlog.Michael@epa.gov</u>>

Cc: Drinkard, Andrea <a href="mailto:creative-number-15">Drinkard, Andrea@epa.gov>; Gude, Karen</a> <a href="mailto:skadowski.Suzanne@epa.gov">Skadowski.Suzanne@epa.gov</a>; Gude, Karen

<<u>Gude.Karen@epa.gov></u>; Bennett, Brittany <<u>bennett.brittany@epa.gov</u>>; Palomaki, Ashley <<u>Palomaki.Ashley@epa.gov</u>>;

Wehling, Carrie < Wehling. Carrie@epa.gov>; Nalven, Heidi < Nalven. Heidi@epa.gov>; Peterson, Erik

<Peterson.Erik@epa.gov>; Steiner-Riley, Cara <Steiner-Riley.Cara@epa.gov>; Ortiz, Michael <Ortiz.Michael@epa.gov>;

Lindsay, Andrea <<u>Lindsay, Andrea@epa.gov</u>>; Whitley, Annie <<u>Whitley, Annie@epa.gov</u>>; Shoemake, Neverley

<shoemake.neverley@epa.gov>; Herbst, John <herbst.john@epa.gov>

Subject: draft FRN regarding BB for your review (Close-Hold, please do not forward, share, or discuss outside this group)

Importance: High

Folks:

Attached for your review is a draft FRN for a decision **Ex. 5 Deliberative Process (DP)** it's 13 pages, double-spaced. This draft reflects input from the team of staff working on **Ex. 5 Deliberative Process (DP)** particular thanks to Ashley, Heidi, Carrie, and Brittany for all of their work on this.

If we plan to provide a revised draft of this to senior management by COB Monday, then we would need to have any edits from you by noon ET Monday.

Please let me know if you have any questions.

Thanks, Palmer

Palmer Hough, Environmental Scientist

office: 202.566.1374

Office of Wetlands, Oceans, and Watersheds U.S. EPA Headquarters (MC 4504T) 1200 Pennsylvania Avenue, NW Washington, DC 20460 www.epa.gov/wetlands

From: Drinkard, Andrea [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=808A6B7B65BF447F93DAD2F510FEAF61-ADRINKAR]

**Sent**: 1/22/2018 7:13:59 PM

To: Dennis, Allison [Dennis.Allison@epa.gov]

Subject: RE: draft FRN regarding BB for your review (Close-Hold, please do not forward, share, or discuss outside this group)

Sure. It's slightly different than the version I just sent you.

From: Dennis, Allison

Sent: Monday, January 22, 2018 2:13 PM

To: Drinkard, Andrea < Drinkard. Andrea@epa.gov>

Subject: RE: draft FRN regarding BB for your review (Close-Hold, please do not forward, share, or discuss outside this

group)

Can you re-resend attachment

From: Drinkard, Andrea

**Sent:** Monday, January 22, 2018 2:07 PM **To:** Hough, Palmer < Hough, Palmer@epa.gov > Cc: Dennis, Allison < Dennis, Allison@epa.gov >

Subject: RE: draft FRN regarding BB for your review (Close-Hold, please do not forward, share, or discuss outside this

group)

Thanks! It sounds like there are some changing priorities so I'm going to hold onto this for now, but I'm glad to have gotten something on paper before I left for vacation. If you need anything, Allison Dennis will be backing me up.

From: Hough, Palmer

Sent: Monday, January 22, 2018 1:28 PM

To: Drinkard, Andrea < <a href="mailto:Drinkard.Andrea@epa.gov">Drinkard.Andrea@epa.gov</a>>

Subject: RE: draft FRN regarding BB for your review (Close-Hold, please do not forward, share, or discuss outside this

group)

Here you go

From: Drinkard, Andrea

Sent: Monday, January 22, 2018 12:09 PM
To: Hough, Palmer < Hough, Palmer@epa.gov>

Subject: RE: draft FRN regarding BB for your review (Close-Hold, please do not forward, share, or discuss outside this

group)

Hey there! Good work on the draft FRN. Any chance you have a minute or two to take a look at this very draft press release? After you've had a chance to take a look, I'll share with a larger group. Just wanted to make sure I was on the right track first. Thanks.

From: Hough, Palmer

Sent: Friday, January 19, 2018 7:30 PM

To: Goodin, John <Goodin.John@epa.gov>; Eisenberg, Mindy <Eisenberg, Mindy@epa.gov>; Libertz, Catherine

<Libertz.Catherine@epa.gov>; Kaiser, Russell <Kaiser.Russell@epa.gov>; Neugeboren, Steven

<<u>Neugeboren.Steven@epa.gov></u>; Allnutt, David <<u>Allnutt.David@epa.gov</u>>; Stern, Allyn <<u>Stern.Allyn@epa.gov</u>>; Holsman,

Marianne < Holsman. Marianne@epa.gov>; Murphy, Stacy < Murphy. Stacy@epa.gov>; Fordham, Tami < Fordham. Tami@epa.gov>; Szerlog, Michael < Szerlog, Michael @epa.gov>

Cc: Drinkard, Andrea < Drinkard.Andrea@epa.gov >; Skadowski, Suzanne < Skadowski.Suzanne@epa.gov >; Gude, Karen < Gude.Karen@epa.gov >; Bennett, Brittany < bennett.brittany@epa.gov >; Palomaki, Ashley < Palomaki.Ashley@epa.gov >; Wehling, Carrie@epa.gov >; Nalven, Heidi < Nalven.Heidi@epa.gov >; Peterson, Erik < Peterson.Erik@epa.gov >; Steiner-Riley, Cara < Steiner-Riley.Cara@epa.gov >; Ortiz, Michael < Ortiz.Michael@epa.gov >; Lindsay, Andrea@epa.gov >; Whitley, Annie < Whitley.Annie@epa.gov >; Shoemake, Neverley < shoemake.neverley@epa.gov >; Herbst, John < herbst.john@epa.gov >

**Subject:** draft FRN regarding BB for your review (Close-Hold, please do not forward, share, or discuss outside this group) **Importance:** High

Folks:

Attached for your review is a draft FRN for a decision **Ex. 5 Deliberative Process (DP)** it's 13 pages, double-spaced. This draft reflects input from the team of staff working on **Ex. 5 Deliberative Process (DP)** particular thanks to Ashley, Heidi, Carrie, and Brittany for all of their work on this.

If we plan to provide a revised draft of this to senior management by COB Monday, then we would need to have any edits from you by noon ET Monday.

Please let me know if you have any questions.

Thanks, Palmer

Palmer Hough, Environmental Scientist office: 202.566.1374

Office of Wetlands, Oceans, and Watersheds U.S. EPA Headquarters (MC 4504T) 1200 Pennsylvania Avenue, NW Washington, DC 20460 www.epa.gov/wetlands

From: Drinkard, Andrea [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=808A6B7B65BF447F93DAD2F510FEAF61-ADRINKAR]

**Sent**: 7/20/2017 1:41:55 PM

**To**: Forsgren, Lee [Forsgren.Lee@epa.gov]

Subject: RE: Gen X Update

I missed this earlier. But yes, I'll come join.

From: Forsgren, Lee

Sent: Thursday, July 20, 2017 8:48 AM

To: Drinkard, Andrea < Drinkard. Andrea@epa.gov>

Subject: FW: Gen X Update

Andrea,

Given the strong interest from the Administrator we should be thinking of a press strategy at the same time. If you sit in you might be ahead of the game when Liz gets her hair on fire tasking later today.

#### Lee

----Original Appointment-----

From: Mclain, Jennifer

Sent: Thursday, July 20, 2017 8:33 AM

To: Forsgren, Lee

Subject: Accepted: Gen X Update

When: Thursday, July 20, 2017 10:30 AM-11:00 AM (UTC-05:00) Eastern Time (US & Canada).

Where: 3219B WJCE

From: Drinkard, Andrea [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=808A6B7B65BF447F93DAD2F510FEAF61-ADRINKAR]

**Sent**: 7/11/2017 12:05:36 PM

To: Grantham, Nancy [Grantham.Nancy@epa.gov]

**Subject**: RE: WIFIA Materials so Far

Thanks.

From: Grantham, Nancy

Sent: Tuesday, July 11, 2017 8:04 AM

To: Drinkard, Andrea < Drinkard. Andrea@epa.gov>; Konkus, John < konkus.john@epa.gov>

Cc: Schollhamer, Mary <Schollhamer.Mary@epa.gov>; Thomas, Latosha <Thomas.Latosha@epa.gov>; Jones, Enesta

<Jones.Enesta@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>

Subject: RE: WIFIA Materials so Far

Sent all files to the regions .. as close hold

Thanks ng

# Nancy Grantham Office of Public Affairs US Environmental Protection Agency 202-564-6879 (desk)

Ex. 6 Personal Privacy (PP) (MODILE)

From: Drinkard, Andrea

Sent: Tuesday, July 11, 2017 7:56 AM

To: Konkus, John <a href="mailto:konkus.john@epa.gov">konkus, John <a href="mailto:konkus.john@epa.gov">konkus, John <a href="mailto:konkus.john@epa.gov">konkus, John <a href="mailto:konkus.john@epa.gov">konkus.john@epa.gov</a>; Grantham, Nancy <a href="mailto:konkus.john@epa.gov">Grantham.Nancy@epa.gov</a>;

Cc: Schollhamer, Mary < Schollhamer, Mary@epa.gov>; Thomas, Latosha < Thomas, Latosha@epa.gov>; Jones, Enesta

<Jones.Enesta@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>

Subject: RE: WIFIA Materials so Far

Good catch on the file names. I'll update those for the next round. Send your comments my way when you have them. Also, Nancy, let me know which files are going to the regions so we know what they have going into the 12:30. Thanks!

From: Konkus, John

Sent: Tuesday, July 11, 2017 7:51 AM

To: Drinkard, Andrea <a href="mailto:Andrea@epa.gov">Drinkard, Andrea@epa.gov</a>; Grantham, Nancy <a href="mailto:Grantham.Nancy@epa.gov">Grantham.Nancy@epa.gov</a>>

Cc: Schollhamer, Mary < Schollhamer. Mary@epa.gov>; Thomas, Latosha < Thomas. Latosha@epa.gov>; Jones, Enesta

<<u>lones.Enesta@epa.gov</u>>; Lynn, Tricia <<u>lynn.tricia@epa.gov</u>>

Subject: RE: WIFIA Materials so Far

Thank you. We are making edits to the press release. Also, we identify this round as phase 2 in the plan but the files say phase 1.

From: Drinkard, Andrea

Sent: Monday, July 10, 2017 4:42 PM

To: Grantham, Nancy < Grantham. Nancy@epa.gov>; Konkus, John < konkus.john@epa.gov>

Cc: Schollhamer, Mary < Schollhamer Mary@epa.gov >; Thomas, Latosha < Thomas.Latosha@epa.gov >; Jones, Enesta

<Jones.Enesta@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>

Subject: WIFIA Materials so Far

Hi Nancy and John,

As per our meeting today, attached are 5 documents for your review for WIFIA:

- 1) An updated comms plan, which now includes a tick tock
- 2) A draft press release with a draft Administrator's quote
- 3) A draft fact sheet on WIFIA
- 4) A sample fact sheet on the Ex. 5 Deliberative Process (DP)
- 5) A spread sheet of all the projects

I am comfortable with you sharing the attachments with the regions provided you are comfortable doing so. At a minimum, we can provide the PDF that lists the projects if you have not completed your review by 12:30.

Here's an update on the remaining materials and when I expect that they'll be ready for your review:

11 remaining fact sheets: Drafted a we will send them once you've cleared the sample one attached here so that we can

incorporate any changes across the board before you review. (Likely Wednesday AM)

Graphics/Social media: Wednesday PM/Thursday AM

Website: Thursday AM Q&As: Thursday AM

Pitch/Embargo Plan: Thursday AM (Tricia/Enesta let's chat tomorrow)

List of Project Comms Contacts: Thursday likely, OW will ask for comms contacts when they make their initial contact

Let us know if there's anything else you need from us.

Thanks!

Andrea Drinkard
Acting Communications Director
EPA Office of Water
Desk: 202.564.1601
Cell: Ex. 6 Personal Privacy (PP)

From: Drinkard, Andrea [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=808A6B7B65BF447F93DAD2F510FEAF61-ADRINKAR]

**Sent**: 8/30/2019 12:14:59 AM

To: Bennett, Tate [Bennett.Tate@epa.gov]
Subject: Re: Region 1 Administrator at BIA of NH

We got everyone but 4 and 7. Will send a full list tomorrow. Thanks for your help!!

On Aug 29, 2019, at 3:37 PM, Bennett, Tate < Bennett. Tate@epa.gov> wrote:

I'm just giving delinquents a nudge:)

Sent from my iPhone

On Aug 29, 2019, at 3:36 PM, Drinkard, Andrea < Drinkard. Andrea@epa.gov> wrote:

Excellent. Are you tracking others?

From: Bennett, Tate < Bennett. Tate@epa.gov > Sent: Thursday, August 29, 2019 3:35 PM

To: Drinkard, Andrea < <a href="mailto:Drinkard.Andrea@epa.gov">Drinkard, Andrea@epa.gov</a> Subject: Fwd: Region 1 Administrator at BIA of NH

Sent from my iPhone

Begin forwarded message:

From: Dennis Deziel < Ex. 6 Personal Privacy (PP)

**Date:** August 29, 2019 at 3:33:26 PM EDT

To: "Bennett, Tate" < Bennett. Tate@epa.gov>

Cc: "Jackson, Ryan" <jackson.ryan@epa.gov>, "McFaul, Jessica"

<mcfaul.jessica@epa.gov>, "Molina, Michael"

<molina.michael@epa.gov>

Subject: Re: Region 1 Administrator at BIA of NH

Ex. 5 Deliberative Process (DP) and I think it needs

to be Friday. Call me if you like. Thanks.

Sent from my iPhone

On Aug 29, 2019, at 2:15 PM, Bennett, Tate < Bennett. Tate@epa.gov > wrote:

FYI Dennis looks like NH Business and Industry Association will be your hosts next Thursday. We (Jess) are working our logistics on press and will send you a run of show here very soon. From: David Creer <dcreer@biaofnh.com>
Sent: Thursday, August 29, 2019 2:05 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Region 1 Administrator at BIA of NH

Hi Tate,

I spoke with our president, the chair, and the vicechair of our policy committee that handles environmental affairs. We are interested in having Dennis Deziel come speak with our members at a stakeholder event, but I wanted to double check something with you first.

We do not need to have the media or a press release regarding the event, correct? We are only interested in hosting the stakeholder meeting if it is simply an opportunity for our members to meet with the Region 1 Administrator to discuss the water rule and other concerns they may have.

Thanks, Dave

David Creer
Director of Public Policy
Energy and Environmental Affairs
Business & Industry Association
122 N. Main St., Concord, NH 03301
Office: (603) 224-5388 ext. 112

Cell: Ex. 6 Personal Privacy (PP) dcreer@biaofnh.com

From: Drinkard, Andrea [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=808A6B7B65BF447F93DAD2F510FEAF61-ADRINKAR]

**Sent**: 8/29/2019 10:03:05 PM

To: Grantham, Nancy [Grantham.Nancy@epa.gov]

Subject: Re: DRAFT WOTUS Comms Materials

Oh right, duh.

On Aug 29, 2019, at 6:02 PM, Grantham, Nancy < Grantham. Nancy@epa.gov > wrote:

And 7

From: Drinkard, Andrea < Drinkard. Andrea@epa.gov>

Sent: Thursday, August 29, 2019 6:02 PM

**To:** Grantham, Nancy < <u>Grantham.Nancy@epa.gov</u>> **Subject:** Re: DRAFT WOTUS Comms Materials

Thanks! So we have 1,2,3,5,6,8,9(sort of). 10 asked Tate for help, so they're working that. So that leaves 4.

On Aug 29, 2019, at 6:00 PM, Grantham, Nancy < Grantham. Nancy@epa.gov> wrote:

From: Larson, Darrin < Larson. Darrin@epa.gov > Sent: Thursday, August 29, 2019 5:57 PM

To: Grantham, Nancy < Grantham. Nancy@epa.gov >; McFaul, Jessica

<mcfaul.jessica@epa.gov>

Cc: Taheri, Diane < <a href="mailto:Taheri.Diane@epa.gov">Taheri, Diane@epa.gov</a> Subject: RE: DRAFT WOTUS Comms Materials

Hi Nancy,

Here's our comms plan. We're planning an event with Ex. 5 Deliberative Process (DP) and are still locking down the details, but we should have a run of show soon.

Darrin Larson Acting Director, Office of External Affairs

U.S. EPA Region 6 Office: 214-665-7115 Mobile: Ex. 6 Personal Privacy (PP)

From: Grantham, Nancy < Grantham.Nancy@epa.gov>

Sent: Wednesday, August 28, 2019 10:58 AM

To: Regional Public Affairs Directors < Regional Public Affairs Directors@epa.gov>

Subject: FW: DRAFT WOTUS Comms Materials

For our 12:30 p.m call today – please note these materials are close hold and draft thanks ng

From: Risley, David < Risley. David@epa.gov > Sent: Wednesday, August 28, 2019 10:47 AM

To: McFaul, Jessica <mcfaul.jessica@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>;

McDonough, Owen <mcdonough.owen@epa.gov>

Cc: Grantham, Nancy < Grantham. Nancy@epa.gov>; Drinkard, Andrea

<Drinkard.Andrea@epa.gov>

**Subject:** DRAFT WOTUS Comms Materials

All,

Here are draft communications materials from OW for next week's WOTUS announcement. These have been reviewed by Owen but have not be reviewed by Dave or officially cleared from OW yet. We hope these will be helpful for communications/engagement planning purposes. To that end, they can be shared with the Regional PADs in advance of the 12:30 call. However, they should not be shared outside of EPA. To the extent that they are shared inside EPA, please be sure to note their draft/internal/deliberative nature.

Best, David

David Risley
EPA Office of Water
Acting Deputy Communications Director
Ex. 6 Personal Privacy (PP)

<WOTUS Step 1 Final Rule Comms Plan Region 6 8-29-19.docx>

From: Drinkard, Andrea [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=808A6B7B65BF447F93DAD2F510FEAF61-ADRINKAR]

**Sent**: 8/29/2019 7:54:01 PM

To: Bennett, Tate [Bennett.Tate@epa.gov]
Subject: RE: Region 1 Administrator at BIA of NH

Call me on this. Or we can talk at 4:30.

From: Bennett, Tate <Bennett.Tate@epa.gov> Sent: Thursday, August 29, 2019 3:35 PM

To: Drinkard, Andrea < Drinkard. Andrea@epa.gov> Subject: Fwd: Region 1 Administrator at BIA of NH

Sent from my iPhone

Begin forwarded message:

From: Dennis Deziel < Ex. 6 Personal Privacy (PP)

**Date:** August 29, 2019 at 3:33:26 PM EDT **To:** "Bennett, Tate" <Bennett.Tate@epa.gov>

Cc: "Jackson, Ryan" < jackson.ryan@epa.gov>, "McFaul, Jessica" < mcfaul.jessica@epa.gov>, "Molina,

Michael" < molina.michael@epa.gov>

Subject: Re: Region 1 Administrator at BIA of NH

#### Ex. 5 Deliberative Process (DP)

and I think it needs to be Friday. Call me if you like.

Thanks.

Sent from my iPhone

FYI Dennis looks like NH Business and Industry Association will be your hosts next Thursday. We (Jess) are working our logistics on press and will send you a run of show here very soon.

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Sent: Thursday, August 29, 2019 2:05 PM
To: Bennett, Tate < Bennett. Tate@epa.gov>
Subject: Region 1 Administrator at BIA of NH

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We do not need to have the media or a press release regarding the event, correct? We are only interested in hosting the stakeholder meeting if it is simply

an opportunity for our members to meet with the Region 1 Administrator to discuss the water rule and other concerns they may have.

Thanks, Dave

David Creer
Director of Public Policy
Energy and Environmental Affairs
Business & Industry Association
122 N. Main St., Concord, NH 03301
Office: (603) 224-5388 ext. 112

Cell: Ex. 6 Personal Privacy (PP) dcreer@biaofnh.com

From: Drinkard, Andrea [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=808A6B7B65BF447F93DAD2F510FEAF61-ADRINKAR]

**Sent**: 8/29/2019 7:47:31 PM

To: Gutro, Doug [Gutro.Doug@epa.gov]

Subject: FW: Region 1 Administrator at BIA of NH

From: Bennett, Tate <Bennett.Tate@epa.gov> Sent: Thursday, August 29, 2019 3:35 PM

To: Drinkard, Andrea < Drinkard. Andrea@epa.gov> Subject: Fwd: Region 1 Administrator at BIA of NH

#### Sent from my iPhone

#### Begin forwarded message:

From: Dennis Deziel Ex. 6 Personal Privacy (PP)

**Date:** August 29, 2019 at 3:33:26 PM EDT **To:** "Bennett, Tate" <Bennett.Tate@epa.gov>

Cc: "Jackson, Ryan" <jackson.ryan@epa.gov>, "McFaul, Jessica" <mcfaul.jessica@epa.gov>, "Molina,

Michael" < molina.michael@epa.gov>

Subject: Re: Region 1 Administrator at BIA of NH

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Thanks.

Sent from my iPhone

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122 N. Main St., Concord, NH 03301
Office: (603) 224-5388 ext. 112

Cell: Ex. 6 Personal Privacy (PP) dcreer@biaofnh.com

From: Drinkard, Andrea [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=808A6B7B65BF447F93DAD2F510FEAF61-ADRINKAR]

**Sent**: 8/29/2019 7:37:32 PM

To: Bennett, Tate [Bennett.Tate@epa.gov]
Subject: RE: Region 1 Administrator at BIA of NH

Yeah and cool. Just wanted to make sure I hadn't missed any ©

From: Bennett, Tate <Bennett.Tate@epa.gov> Sent: Thursday, August 29, 2019 3:37 PM

To: Drinkard, Andrea < Drinkard. Andrea@epa.gov>
Subject: Re: Region 1 Administrator at BIA of NH

Me? No! Thought you and Jess were

Sent from my iPhone

On Aug 29, 2019, at 3:36 PM, Drinkard, Andrea < <a href="mailto:Drinkard.Andrea@epa.gov">Drinkard.Andrea@epa.gov</a>> wrote:

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To: Drinkard, Andrea < <a href="mailto:Drinkard.Andrea@epa.gov">Drinkard, Andrea@epa.gov</a> Subject: Fwd: Region 1 Administrator at BIA of NH

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Cc: "Jackson, Ryan" < jackson.ryan@epa.gov>, "McFaul, Jessica"

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David Creer
Director of Public Policy
Energy and Environmental Affairs
Business & Industry Association
122 N. Main St., Concord, NH 03301
Office: (603) 224-5388 ext. 112

Cell: Ex. 6 Personal Privacy (PP) dcreer@biaofnh.com

From: Drinkard, Andrea [Drinkard.Andrea@epa.gov]

**Sent**: 7/17/2017 9:55:13 PM

To: Grantham, Nancy [Grantham.Nancy@epa.gov]

Subject: Re: Region 1 WIFIA plan & draft PR

We're good on this one. My team signed off on r1 on Friday.

Sent from my iPhone

On Jul 17, 2017, at 5:48 PM, Grantham, Nancy < Grantham. Nancy@epa.gov> wrote:

Nancy Grantham Office of Public Affairs US Environmental Protection Agency 202-564-6879 (desk)

Ex. 6 Personal Privacy (PP) (mobile)

From: Deegan, Dave

**Sent:** Friday, July 14, 2017 3:11 PM

To: Grantham, Nancy <<u>Grantham.Nancy@epa.gov</u>>; Drinkard, Andrea <<u>Drinkard.Andrea@epa.gov</u>> Cc: Gutro, Doug <<u>Gutro.Doug@epa.gov</u>>; Bender, Emily <<u>Bender.Emily@epa.gov</u>>; Deegan, Dave

<Deegan.Dave@epa.gov>

Subject: Region 1 WIFIA plan & draft PR

Hi Nancy,

I had some time so went ahead and drafted a more local proposed PR for WIFIA ... we're glad to keep closer to the HQ draft if you prefer, but I wanted to float this in case it's helpful for John or others to see this approach.

#### Pitch Plan:

# Ex. 5 Deliberative Process (DP)

Hope this is helpful, Dave

~~~~~~~~~~~~~~~~~

#### Dave Deegan

U.S. EPA, New England Regional Office
Media Relations | Social Media | Web Content
phone: 617.918.1017 | mobile | Ex. 6 Personal Privacy (PP) |
email: deegan.dave@epa.gov

email: <u>deegan.dave@epa.gov</u> <image001.jpg> <image003.jpg>

<WIFIA\_R1Local\_PR\_07-14-17.docx>

From: Drinkard, Andrea [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=808A6B7B65BF447F93DAD2F510FEAF61-ADRINKAR]

**Sent**: 3/28/2018 3:23:55 PM

To: Schollhamer, Mary [Schollhamer.Mary@epa.gov]; Wadlington, Christina [Wadlington.Christina@epa.gov]

**Subject**: FW: draft letter to governors -- WIFIA & Lead **Attachments**: DRAFT letter from ADM Pruitt to governors.docx

Could you get Andrew or someone on the WIFIA team to look at the WIFIA paragraph in the attached letter ASAP?

Christina, any issues on your end?

Please keep this letter close hold.

From: Epp, Timothy

Sent: Tuesday, March 27, 2018 4:27 PM

**To:** Drinkard, Andrea < Drinkard. Andrea@epa.gov> **Subject:** draft letter to governors -- WIFIA & Lead

Hi Andrea,

Please help me coordinate the messaging on WIFIA (and SRF) in this draft.

Thanks,

Tim

Timothy R. Epp
EPA National Lead Coordinator
Assistant General Counsel
International Environmental Law
Office of General Counsel
U.S. Environmental Protection Agency

Tel. 202-564-2830

From: Drinkard, Andrea [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=808A6B7B65BF447F93DAD2F510FEAF61-ADRINKAR]

**Sent**: 9/9/2019 6:24:38 PM

To: Nitsch, Chad [Nitsch.Chad@epa.gov]

**CC**: Grantham, Nancy [Grantham.Nancy@epa.gov]

**Subject**: FW: forgot to ask

Attachments: WOTUS qanda.docx; WOTUS Step 1 One Pager\_FINAL\_8.30.docx

Will be sharing these with the PADs tomorrow. Keep close hold for today. You already have the second document, so it's just the first. Thanks.

From: Drinkard, Andrea [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=808A6B7B65BF447F93DAD2F510FEAF61-ADRINKAR]

**Sent**: 7/3/2017 2:21:54 PM

To: Fligger, Karen [Fligger.Karen@epa.gov]; Schollhamer, Mary [Schollhamer.Mary@epa.gov]

Subject: FW: WIFI Phase 1 Comms Plan Outline.docx
Attachments: WIFI Phase 1 Comms Plan Outline.docx

Hi Ladies,

Here's what I got from the 3<sup>rd</sup> floor. Basically it's what we discussed in a different format. They are using the state of the state o

Thanks!

From: Konkus, John

Sent: Monday, July 03, 2017 9:42 AM

To: Forsgren, Lee <Forsgren.Lee@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Grantham, Nancy

<Grantham.Nancy@epa.gov>

Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Wilcox, Jahan

<wilcox.jahan@epa.gov>; Graham, Amy <graham.amy@epa.gov>

Subject: WIFI Phase 1 Comms Plan Outline.docx

Lee and Team: Per our meeting on Friday attached is an communications outline for the WIFIA announcement.

Thank you!

John

From: Drinkard, Andrea [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=808A6B7B65BF447F93DAD2F510FEAF61-ADRINKAR]

**Sent**: 1/25/2018 10:05:28 PM

To: Dennis, Allison [Dennis.Allison@epa.gov]

**Subject**: Re: SOTU/ 24 hr news embargo

Good response!

Sent from my iPhone

On Jan 25, 2018, at 12:36 PM, Dennis, Allison < Dennis, Allison@epa.gov> wrote:

Very helpful . thank you .

Sent from my iPhone

On Jan 25, 2018, at 2:26 PM, Bowman, Liz <Bowman, Liz@epa.gov> wrote:

Not that we know of; the plan is still to aim for Monday. I just need to review the documents and Sarah needs to confirm the timing.

From: Dennis, Allison

Sent: Thursday, January 25, 2018 9:37 AM

To: Bowman, Liz < Bowman, Liz@epa.gov>; Grantham, Nancy

<Grantham.Nancy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Konkus, John

<konkus.john@epa.gov>

Cc: Drinkard, Andrea < Drinkard. Andrea@epa.gov>

Subject: SOTU/24 hr news embargo

Hi Liz, Nancy, John and Jahan,

Dave posed a great question to me this morning and I am hoping you might know the answer. Will the WH pose any embargo on any new announcements in the 24 hrs running up until the State of the Union (1/30) next week?

# Ex. 5 Deliberative Process (DP)

Any thoughts are appreciated.

Also, let me know if OW can be helpful with today's announcement.

-Allison

Allison Dennis
Deputy Communications Director
Office of Water
U.S. Environmental Protection Agency

Office: 202-564-1985
Cell: Ex. 6 Personal Privacy (PP)
Dennis. Allison@epa.gov

From: Drinkard, Andrea [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=808A6B7B65BF447F93DAD2F510FEAF61-ADRINKAR]

**Sent**: 3/1/2018 10:37:12 PM

**To**: Ross, David P [ross.davidp@epa.gov]

CC: Forsgren, Lee [Forsgren.Lee@epa.gov]; Best-Wong, Benita [Best-Wong.Benita@epa.gov]; Campbell, Ann

[Campbell.Ann@epa.gov]

Subject: Re: Grant Funding for the Chesapeake Bay Journal

Thanks, Nancy flagged the comms for me earlier today. They are on point and have what they need. I'll forward the materials they prepared in a second. Thanks for flagging.

Sent from my iPhone

On Mar 1, 2018, at 5:10 PM, Ross, David P < ross.davidp@epa.gov> wrote:

FYI. Please coordinate with Liz on any press inquiries, but let her office take the lead unless she says otherwise. Thanks.

From: Minoli, Kevin

Sent: Thursday, March 1, 2018 3:14 PM

To: Servidio, Cosmo < Servidio.Cosmo@epa.gov>; Ross, David P < ross.davidp@epa.gov>; Vizian, Donna

<Vizian.Donna@epa.gov>

Cc: Leopold, Matt < Leopold. Matt@epa.goy>; Fotouhi, David < Fotouhi. David@epa.goy>; Bowman, Liz

<Bowman.Liz@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Lyons, Troy

<lyons.troy@epa.gov>; Richardson, RobinH < Richardson.RobinH@epa.gov>

Subject: Grant Funding for the Chesapeake Bay Journal

Cosmo, David, and Donna-

Following up on a call I had with Cosmo yesterday, I wanted to let you know that in light of an evolution in our priorities, the agency has determined that it will issue \$325,000 in incremental grant funding to the Chesapeake Bay Journal. That decision is being communicated to representatives for the Journal at 3:15. OCIR has provided Senator Cardin's staff a close hold head's up and will begin notifying other members and government officials at 3:17. Nancy Grantham in OPA is coordinating the public affairs portion of this and has worked with Region 3 public affairs folks (I am not sure whether Nancy has connected with OW public affairs folks).

I am happy to answer any questions you have and our staffs should be communicating closely on this. David and Donna, I apologize for not giving you a heads up that this was possible yesterday.

Thanks, Kevin

#### Kevin S. Minoli

Principal Deputy General Counsel
Office of General Counsel
US Environmental Protection Agency
Main Office Line: 202-564-8064

Emily Holden [emily.holden@theguardian.com] From:

6/19/2019 1:27:29 PM Sent: To: Press [Press@epa.gov]

Subject: Quotes ahead of embargo lift?

#### Hello,

We would like to post a story right when the announcement happens at 10 am (and then update later with remarks), but we don't have any quotes from the administration that aren't embargoed. Is there anything you have prepared that you can provide?

Thanks, **Emily** 

#### **Emily Holden**

D.C.-based environment reporter Guardian News & Media

My only phone number: 225-284-8303 Email: emily.holden@theguardian.com

Twitter: @emilyhholden



900 17th Street NW Washington, DC 20006 theguardian.com/us

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From: Abboud, Michael [abboud.michael@epa.gov]

**Sent**: 6/18/2019 3:35:31 PM

To: Smith, Abby [asmith@bloombergenvironment.com]; Hewitt, James [hewitt.james@epa.gov]

Subject: RE: Bloomberg Environment interview request

Next week would be better and I'm sorry for the delay on this. It's been a little busy here lately!

From: Smith, Abby <asmith@bloombergenvironment.com>

Sent: Tuesday, June 18, 2019 11:27 AM

To: Hewitt, James <a href="mailto:hewitt.james@epa.gov">hewitt, James <a href="mailto:hewitt.james@epa.gov">hewitt.james@epa.gov</a>; Abboud, Michael <a href="mailto:hewitt.james@epa.gov">hewitt.james@epa.gov</a>; Abboud, Michael <a href="mailto:hewitt.james@epa.gov">hewitt.james@epa.gov</a>; Abboud, Michael <a href="mailto:hewitt.james@epa.gov">hewitt.james@epa.gov</a>; Abboud, Michael <a href="mailto:hewitt.james@epa.gov">hewitt.james@epa.gov</a>)

Subject: RE: Bloomberg Environment interview request

Hi James,

Thanks for letting me know and looping in Mike. And congrats on the move! Will keep it to myself, of course.

You're ending with a bang, too! One last big policy announcement.

Mike – let me know if we can make one (or more) of these interviews happen soon. I know you all are busy this week, so maybe we can chat early next week about this.

Thanks to you both,

Abby

#### **Abby Smith**

Reporter, Climate Change

#### **Bloomberg Environment**

Office: 703-341-3778
Cell: Ex. 6 Personal Privacy (PP)

asmith@bloombergenvironment.com

From: Hewitt, James < hewitt.james@epa.gov >

**Sent:** Tuesday, June 18, 2019 11:16 AM

To: Smith, Abby <asmith@bloombergenvironment.com>; Abboud, Michael <abboud.michael@epa.gov>

Subject: RE: Bloomberg Environment interview request

Abby, OTR, I'll be leaving the Agency after this week for another position in the administration. That is a close hold. I'm looping in Mike.

From: Smith, Abby [mailto:asmith@bloombergenvironment.com]

**Sent:** Tuesday, June 18, 2019 11:04 AM **To:** Hewitt, James <a href="mailto:hewitt.james@epa.gov">hewitt.james@epa.gov</a>

Cc: Press < Press@epa.gov>

Subject: RE: Bloomberg Environment interview request

Hi James,

Just wanted to bump this to the top of your inbox. Please let me know if we can make an interview happen sometime soon.

Thanks!

Abby

**Abby Smith** 

Reporter, Climate Change

# **Bloomberg Environment**

Office: 703-341-3778
Cell: Ex. 6 Personal Privacy (PP)

asmith@bloombergenvironment.com

From: Smith, Abby

Sent: Monday, June 10, 2019 5:48 PM
To: Hewitt, James <a href="mailto:hewitt.james@epa.gov">hewitt.james@epa.gov</a>

Subject: Bloomberg Environment interview request

Hey James,

Good to see you briefly at the SAB meeting last week! Thanks again for your help that afternoon.

I just wanted to reach out to re-up my request to interview the relatively new Region 8 chief Gregory Sopkin. The interview would be part of a series of profiles of lawmakers, policymakers, and other important folks that we're working on here, and would focus on Mr. Sopkin's priorities for the region. Let me know if we might be able to make that happen soon.

I also wanted to put in a request to interview Administrator Wheeler. I've noticed he's been doing some interviews lately, and I'd love the opportunity to speak with the Administrator about some of his policy priorities. I know he's about to leave for the G20 ministers' meeting, but maybe it would be possible to set something up when he is back in town.

Happy to chat in more detail about either of these requests. I'm at a fellowship for the rest of the week in NYC, but available via email and on my cell.

Thanks in advance!

Abby

**Abby Smith** 

Reporter, Climate Change

#### **Bloomberg Environment**

Office: 703-341-3778
Cell: Ex. 6 Personal Privacy (PP)

asmith@bloombergenvironment.com

From: Abboud, Michael [abboud.michael@epa.gov]

**Sent**: 5/13/2019 3:25:11 PM

**To**: Hewitt, James [hewitt.james@epa.gov]

Subject: Fwd: Invitation: Administrator Wheeler visit to Minden

Sent from my iPhone

Begin forwarded message:

From: "Damron, Jordan L" < Jordan L. Damron@wv.gov>

Date: May 13, 2019 at 11:24:38 AM EDT

To: "Carter, Brittany S." <carter.brittanys@epa.gov>, "Blaine, Rebecca D" <Rebecca.D.Blaine@wv.gov>

Cc: "Abboud, Michael" <abboud.michael@epa.gov>

Subject: Re: Invitation: Administrator Wheeler visit to Minden

Thank you both for your help today!

Quote from Gov. Justice is below. Let me know if you need anything else.

"This is such an important day because the great people of Minden have been hurting for too long and they've been waiting on this level of help for decades. Our President, the EPA and our own Department of Environmental Protection here in West Virginia truly care about helping the people of Minden and, together with my office, we are finally taking major steps toward cleaning up this area once and for all. We are going to get it done."

Can you provide a quote from Administrator Wheeler? We may end up using it in a short statement.

Jordan Damron
Assistant Legal Counsel
Digital Director

Office of Governor Jim Justice, State Capitol 1900 Kanawha Boulevard, East, Charleston, WV 25305

Office: 304-558-2000 | Cell: Ex. 6 Personal Privacy (PP) |

Jordan L. Damron @wv.gov | Governor.wv.gov

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From: Carter, Brittany S. <carter.brittanys@epa.gov>

**Sent:** Sunday, May 12, 2019 2:44 PM

To: Blaine, Rebecca D

Cc: Damron, Jordan L; Abboud, Michael

Subject: Re: Invitation: Administrator Wheeler visit to Minden

Thank you!

On May 12, 2019, at 2:43 PM, Blaine, Rebecca D <a href="mailto:Rebecca.D.Blaine@wv.gov">Rebecca.D.Blaine@wv.gov</a>> wrote:

Hi Brit & Mike, Jordan is on the email.

Rebecca

Sent from my iPhone

On May 12, 2019, at 2:36 PM, Carter, Brittany S. <carter.brittanys@epa.gov> wrote:

Hi Rebecca,

Wanted to connect you with our press secretary, Mike Abboud. We are still keeping everything close hold until early tomorrow morning. Would you mind connecting him with your comms shop?

Thank you!

-Britt

On May 9, 2019, at 10:27 AM, Blaine, Rebecca D <a href="mailto:Rebecca.D.Blaine@wv.gov">Rebecca.D.Blaine@wv.gov</a> wrote:

Got it! Thank you

From: Carter, Brittany S. < carter.brittanys@epa.gov>

Sent: Thursday, May 9, 2019 10:27 AM

**To:** Blaine, Rebecca D < <u>Rebecca.D.Blaine@wv.gov</u>> **Cc:** Damron, Jordan L < <u>Jordan.L.Damron@wv.gov</u>>

Subject: RE: Invitation: Administrator Wheeler visit to Minden

Great! Forgot to say, Wheeler plans to speak for about 5 minutes—we have allotted the same for everyone else.

From: Blaine, Rebecca D < Rebecca.D. Blaine@wv.gov>

Sent: Thursday, May 9, 2019 10:19 AM

**To:** Carter, Brittany S. <<u>carter.brittanys@epa.gov</u>> **Cc:** Damron, Jordan L <<u>Jordan.L.Damron@wv.gov</u>>

Subject: RE: Invitation: Administrator Wheeler visit to Minden

Hi Brittany,

Thank you for sharing. We do not have any changes.

Rebecca

From: Carter, Brittany S. <carter.brittanys@epa.gov>

Sent: Wednesday, May 8, 2019 2:45 PM

**To:** Blaine, Rebecca D < Rebecca.D.Blaine@wv.gov>

Subject: RE: Invitation: Administrator Wheeler visit to Minden

Hi Rebecca,

Wanted to follow up with the draft run of show. I will be sure to update you if it changes. This is all still close-hold. Please let me know if you have any questions. I will be on the ground the day of. My cell phone is [Ex. 6 Personal Privacy (PP)] if you need anything.

#### Attire:

Announcement: Business Casual

# Monday, May 13th

9:30am - 10:15am

#### **NPL Announcement Remarks**

**Location:**New Apostolic Church **Format:** Remarks with Q&A session

Introduced By: Cosmo Servidio, Regional Administrator,

EPA Region 3

#### Attendees:

- Governor Jim Justice
- Senator Shelley Moore Capito
- Congressman David McKinley (WV-1)
- Congresswoman Carol Miller (WV-3)

#### **Run of Show:**

- Cosmo Servidio welcomes attendees and introduces Administrator Wheeler
- Administrator Wheeler delivers remarks and introduces Senator Capito
- Senator Capito delivers remarks and introduces Governor Justice
- Governor Justice delivers remarks introduces Congressman McKinley
- Congressman McKinley delivers remarks and introduces Congresswoman Miller
- Congresswoman Miller delivers remarks
- Cosmo opens Q&A session
- Adjourn

Press: Open

From: Carter, Brittany S.

Sent: Thursday, April 25, 2019 10:49 AM

To: rebecca.d.blaine@wv.gov

Subject: Invitation: Administrator Wheeler visit to Minden

Good morning Rebecca,

We are in the beginning stages of planning an event in Minden, WV on Monday, 05/13 and would like to invite Governor Justice to attend. We would start with a site visit at 8:45 a.m. and plan a National Priorities List (NPL) announcement at the church immediately following the tour around 9:30 a.m.

Please let me know if this happens to work with his schedule and if you have any questions. We would be honored to have the Governor join us. We appreciate you keeping this event close-hold for now.

Best regards,

-Britt

Britt Carter
Director of Intergovernmental Relations
U.S. Environmental Protection Agency
Cell: [Ex. 6 Personal Privacy (PP)]

From: Kevin Bogardus [kbogardus@eenews.net]

**Sent**: 8/25/2017 3:56:39 PM

**To**: Graham, Amy [graham.amy@epa.gov]

CC: Bowman, Liz [Bowman.Liz@epa.gov]; Konkus, John [konkus.john@epa.gov]; Ferguson, Lincoln

[ferguson.lincoln@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Abboud, Michael [abboud.michael@epa.gov];

Hewitt, James [hewitt.james@epa.gov]

**Subject**: RE: Social media policy email was phishing attempt

Awesome. Thank you, Amy. Dropping that line in the story. Thanks again and have a great weekend everyone!

-Kevin

From: Graham, Amy [mailto:graham.amy@epa.gov]

Sent: Friday, August 25, 2017 11:55 AM

To: Kevin Bogardus < kbogardus@eenews.net>

Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln

<ferguson.lincoln@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>;

Hewitt, James <a href="mailto:lewitt.james@epa.gov">hewitt.james@epa.gov</a>>

Subject: Re: Social media policy email was phishing attempt

That's fine, Kevin.

Sent from my iPhone

On Aug 25, 2017, at 11:53 AM, Kevin Bogardus <a href="mailto:kbogardus@eenews.net">kbogardus@eenews.net</a>> wrote:

Liz, Sorry to pester but any issue with me using the below?

An EPA spokeswoman confirmed to E&E News that the email sent to EPA staff yesterday announcing new social media polices at the agency was not real but spam.

-Kevin

From: Kevin Bogardus

Sent: Friday, August 25, 2017 11:08 AM

To: 'Bowman, Liz' <<u>Bowman, Liz@epa.gov</u>>; Konkus, John <<u>konkus, john@epa.gov</u>>; Graham, Amy <<u>graham.amy@epa.gov</u>>; Ferguson, Lincoln <<u>ferguson, lincoln@epa.gov</u>>; Wilcox, Jahan <<u>wilcox, jahan@epa.gov</u>>; Abboud, Michael <<u>abboud.michael@epa.gov</u>>; Hewitt, James

<hewitt.james@epa.gov>

Subject: RE: Social media policy email was phishing attempt

Thanks for getting back to me, Liz. Very helpful. That said, I gotta push to get something in the story (and yes, I just talked to my editors and I'm writing a brief story) so any issue with going on background and me using the below from you, Liz?

An EPA spokeswoman confirmed to E&E News that the email sent to EPA staff yesterday announcing new social media polices at the agency was not real but spam.

-Kevin

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]

Sent: Friday, August 25, 2017 11:00 AM

To: Kevin Bogardus <a href="mailto:kbogardus@eenews.net">kbogardus@eenews.net</a>; Konkus, John <a href="mailto:konkus.john@epa.gov">konkus.john@epa.gov</a>; Graham, Amy

<graham.amy@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Wilcox, Jahan
<wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James

<hewitt.james@epa.gov>

Subject: RE: Social media policy email was phishing attempt

Yes, off the record: this was just a spam email, like many other creative ways to try to get people to click on links and expose themselves to spam.

From: Kevin Bogardus [mailto:kbogardus@eenews.net]

Sent: Friday, August 25, 2017 10:50 AM

To: Bowman, Liz <<u>Bowman, Liz@epa.gov</u>>; Konkus, John <<u>konkus.john@epa.gov</u>>; Graham, Amy <<u>graham.amy@epa.gov</u>>; Ferguson, Lincoln <<u>ferguson.lincoln@epa.gov</u>>; Wilcox, Jahan <<u>wilcox.jahan@epa.gov</u>>; Abboud, Michael <<u>abboud.michael@epa.gov</u>>; Hewitt, James <<u>hewitt.james@epa.gov</u>>

Subject: Social media policy email was phishing attempt

Hey everbody,

Hi, it's Kevin Bogardus with E&E News.

I obtained an email sent to EPA staff yesterday saying that social media sites would start being blocked (please see below). However, I have talked to the EPA IG office and they told me that this email was identified as a phishing attempt to gather information on EPA staff. I had a few questions about this, which are:

- Is it your understanding as well that the email below is not a real EPA email but was a phishing attempt to gather information on EPA staff?
- Do you know how many EPA employees received this email? If exact numbers aren't possible, an estimate would be great.

Please get back to me as soon as possible. My deadline is 12:30 pm EST today but the sooner you get back to me, the more it helps my reporting. Thank you for your help.

# **Kevin Bogardus**

E&E News reporter

kbogardus@eenews.net

202-446-0401 (p)

Ex. 6 Personal Privacy (PP)

202-737-5299 (f)

Follow me @KevinBogardus

#### **E&E NEWS**

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EnergyWire, ClimateWire, E&E Daily, Greenwire, E&ENews PM

#### P.S. - Here is that email:

From: Human Resources < HumanResources@mail.webproxysecurity.com >

Date: August 24, 2017 at 11:04:34 AM EDT

# **Subject: Important Update to Social Media Policy**

Agency leadership has decided to institute new social media policies. Due to recent events in the news we are going to start blocking many of the popular social media sites for employees who do not need them for justified, business purposes.

We need your help to determine if you utilize social media and how you feel about this policy change. We have created a portal page on our internal network to get each employee's usage of social media so we can determine which policy should be applied to your workstation. Please <u>visit the Portal Page</u>and complete this survey.

Your participation is mandatory and this survey must be completed in the next five business days so we can compile results before the default block policy is applied.

Thank you,
Office of Human Resources

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 4/29/2019 7:19:09 PM **To**: Press [Press@epa.gov]

**Subject**: FW: CNN query - deadline TODAY **Attachments**: Cumulative Risk manuscript proofs.pdf

Importance: High

Third Floor?

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Kounang, Nadia < Nadia. Kounang@turner.com >

Sent: Monday, April 29, 2019 3:13 PM

To: Press < Press@epa.gov>

Subject: CNN query - deadline TODAY

Importance: High

Hello -

I'm a producer/writer with CNN's health unit. I'm writing a piece based on this upcoming study that will be published in Environmental Health tmw – the embargo releases tonight at midnight. I've attached the study here and the embargoed press release is below.

The study was done by Environmental Working Group – an advocacy group. It claims to be the first study to use a cumulative risk assessment to estimate cancer risk in public drinking water in California. The study has found that a lifetime of drinking public water in California could be related to 15,449 cases of cancer.

I'm wondering if the EPA would care to comment on this study, considering that Administrator Wheeler has said that "water issues are the largest and most immediate environmental. And public health challenges affecting the world right now."

In addition, I'm wondering if the EPA has any comment on the use of cumulative risk analysis for drinking water.

Thanks for your help.

Best,

Nadia Kounang Producer, CNN Health Office: 404.827.3245 Cell: Ex. 8 Personal Privacy (PP)

Email: nadia.kounang@turner.com

The embargo lifts at 12:01 AM EST on Tuesday, April 30, 2019.

# EMBARGOED UNTIL 12:01 AM EDT on Tuesday, April 30, 2019.

# EWG: A Novel Method for Assessing Combined Risk of Multiple Tap Water Pollutants

# Array of Contaminants in California Water Could Cause 15,000 Cases of Cancer

WASHINGTON – The array of toxic pollutants in California drinking water could cause more than 15,000 cases of cancer, according to a peer-reviewed EWG study that is the first ever to assess the cumulative risk from all contaminants in the state's public water systems.

In a paper published today in the journal Environmental Health, EWG scientists used a novel analytical method that calculated the combined health impacts of carcinogens and other toxic contaminants in 2,737 community water systems in California.

"This cumulative approach is common in assessing the health impacts of exposure to air pollutants but has never before been applied to drinking water contaminants," said Tasha Stoiber, Ph.D., a senior scientist at EWG and the lead author. "Right now, policymakers set health limits one chemical at a time. This doesn't match reality. Multiple contaminants are often detected in drinking water across the U.S."

This lifetime cumulative cancer risk estimate for California should be considered conservative because mixtures of contaminants may be even more toxic than the sum of individual chemicals.

"This could and should be a big deal," said Olga Naidenko, Ph.D., EWG's senior science advisor. "We need to prioritize the treatment of our tap water. This novel approach to risk assessment offers a significant improvement over the current model and, if adopted, will be a huge step toward improving public health. It will help communities and policymakers evaluate the best options to treat drinking water."

Water systems in California with the highest risk serve smaller communities with fewer than 1,000 people. In these communities, exposure to arsenic is the biggest factor in increased cancer risk. These communities are in need of improved infrastructure and resources to provide safe drinking water to its residents.

This assessment is based on water quality reports published by the California State Water Resources Control Board and data published by the EPA's Unregulated Contaminant Monitoring Rule.

###

The Environmental Working Group is a nonprofit, non-partisan organization that empowers people to live healthier lives in a healthier environment. Through research, advocacy and unique education tools, EWG drives consumer choice and civic action.

From: Schultz, David [dSchultz@bloombergenvironment.com]

**Sent**: 4/15/2019 6:10:46 PM

To: Hewitt, James [hewitt.james@epa.gov]

CC: Schiermeyer, Corry [schiermeyer.corry@epa.gov]
Subject: RE: exclusive on new permitting requirements?

Forgot to mention—please call me at Ex. 6 Personal Privacy (PP) Thanks.

David Schultz
Reporter
Bloomberg Environmen

Bloomberg Environment

Ex. 6 Personal Privacy (PP)

dschultz@bloombergenvironment.com

From: Hewitt, James [mailto:hewitt.james@epa.gov]

Sent: Monday, April 15, 2019 1:55 PM

To: Saiyid, Amena <asaiyid@bloombergenvironment.com>

Cc: Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Schultz, David <dSchultz@bloombergenvironment.com>

Subject: RE: exclusive on new permitting requirements?

David,

We will give you a call at 2:30. Below please find an **EMBARGOED** press release. This embargo will be lifted after our phone call.

# **EPA Issues Guidance on Clean Water Act Permitting Requirements**

EPA's Interpretative Statement provides certainty to states and the regulated community while recognizing long-standing protections for America's groundwater.

**WASHINGTON** – Today, the U.S. Environmental Protection Agency (EPA) issued guidance clarifying the application of Clean Water Act (CWA or the Act) permitting requirements to groundwater. EPA's Interpretative Statement concludes that Congress excluded releases of pollutants to groundwater from the Act's permitting requirements and instead left regulation of those releases to the states and EPA's other statutory authorities.

Consistent with Congress' vision for a strong federal state partnership to protect the country's groundwater resources, the agency's new guidance recognizes the state's leadership role in protecting groundwater and provides certainty to states and others who implement and enforce EPA's federal permitting programs. EPA's Interpretative Statement will help inform federal and state regulators with future National Pollutant Discharge Elimination System (NPDES) permitting and enforcement decisions.

States should continue to take an active role in regulating discharges to waters within their jurisdictions, as provided in state law and envisioned under the CWA. EPA will continue fulfilling its role in protecting groundwater and hydrologically connected surface waters as authorized by Congress through the Safe Drinking Water Act, the Resource Conservation and Recovery Act, and the Comprehensive Environmental Response, Compensation, and Liability Act.

# **Background**

Recent conflicting federal court decisions and the prior lack of clear agency guidance regarding whether NPDES permits are required for releases of pollutants to groundwater has caused uncertainty regarding how the agency and states

should implement and enforce the NPDES permitting program. In February 2018, EPA requested public comment on whether the agency should revise or clarify its position on the issue. At the same time, the agency also undertook a comprehensive review of prior agency statements on the matter and performed a holistic analysis of the text, structure, and legislative history of the Act. Based on this analysis and careful consideration of public input, EPA concluded that Congress excluded releases of pollutants to groundwater from the Act's permitting requirements, regardless of whether there is a hydrological connection between the groundwater and a water of the United States.

In conjunction with issuing its Interpretative Statement, the agency is seeking additional public input regarding what may be needed to provide further clarity and regulatory certainty on this issue. The comment period will be open for 45 days after the Interpretative Statement is published in the Federal Register.

For more information visit https://www.epa.gov/npdes/releases-point-source-groundwater.

From: Saiyid, Amena <asaiyid@bloombergenvironment.com>

Sent: Monday, April 15, 2019 1:25 PM
To: Hewitt, James < hewitt.james@epa.gov>

Cc: Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Schultz, David <dSchultz@bloombergenvironment.com>

Subject: Re: exclusive on new permitting requirements?

Hi James

We are extremely interested. My colleague David Schultz, [Ex. 6 Personal Privacy (PP)] copied on this email will cover it. When do you plan on releasing it? Can you give us some leeway in that please.

Thanks Amena

Sent from my iPhone

On Apr 15, 2019, at 1:03 PM, Hewitt, James <a href="mailto:hewitt.james@epa.gov">hewitt.james@epa.gov</a>> wrote:

Amena,

OTR: EPA will issue a guidance on clarifying the application of Clean Water Acting permitting requirements to groundwater very soon. I was wondering if you might be interested in talking with someone from our water office to discuss the guidance. Please let me know if you're interested and I can send you more info. We have someone available to talk between 2-3pm today.

Thanks, James

James Hewitt
Environmental Protection Agency
Press Secretary

Ex. 6 Personal Privacy (PP)

From: Schultz, David [dSchultz@bloombergenvironment.com]

**Sent**: 4/15/2019 6:09:03 PM

To: Hewitt, James [hewitt.james@epa.gov]; Saiyid, Amena [asaiyid@bloombergenvironment.com]

CC: Schiermeyer, Corry [schiermeyer.corry@epa.gov]
Subject: RE: exclusive on new permitting requirements?

Great! Looking forward to it.

David Schultz
Reporter
Bloomberg Environment

\_\_\_\_\_

Ex. 6 Personal Privacy (PP)

dschultz@bloombergenvironment.com

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Thanks, James

James Hewitt
Environmental Protection Agency
Press Secretary

Ex. 6 Personal Privacy (PP)

From: Saiyid, Amena [asaiyid@bloombergenvironment.com]

**Sent**: 4/15/2019 5:56:29 PM

**To**: Hewitt, James [hewitt.james@epa.gov]

CC: Schiermeyer, Corry [schiermeyer.corry@epa.gov]; Schultz, David [dSchultz@bloombergenvironment.com]

**Subject**: Re: exclusive on new permitting requirements?

Thanks James.

Sent from my iPhone

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<dSchultz@bloombergenvironment.com>

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Thanks, James

James Hewitt Environmental Protection Agency

Press Secretary

Ex. 6 Personal Privacy (PP)

 From:
 Krisher, Tom [tkrisher@ap.org]

 Sent:
 11/13/2018 3:25:32 PM

**To**: Hewitt, James [hewitt.james@epa.gov]

Subject: RE: embargo broken

OK. I'm sticking to the embargo. Can you tell me when the heavy truck NOx emissions standards were last updated? I see 2001 in some publications, but they said 2000 on the conference call last night. I suspect they were finalized in 2000 and started to go into effect in 2001.

**From:** Hewitt, James <a href="mailto:hewitt.james@epa.gov">hewitt.james@epa.gov</a>> **Sent:** Tuesday, November 13, 2018 8:53 AM

To: Krisher, Tom <tkrisher@ap.org>

Cc: Abboud, Michael <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>; Konkus, John

<konkus.john@epa.gov>
Subject: RE: embargo broken

The embargo is still in place.

From: Krisher, Tom < tkrisher@ap.org>
Sent: Tuesday, November 13, 2018 8:35 AM

**To:** Press < <u>Press@epa.gov</u>> **Subject:** embargo broken

It looks like Reuters may have broken the embargo on the heavy-duty truck release. Are you lifting the embargo?

The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1500 and delete this email. Thank you.

The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1500 and delete this email. Thank you.

| From:<br>Sent:<br>To:<br>Subject: | Abboud, Michael [abboud.michael@epa.gov]<br>8/28/2018 12:51:12 PM<br>Hewitt, James [hewitt.james@epa.gov]<br>Re: Columbus Ohio Administrator Wheeler visit                                                                          |  |  |
|-----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| I did mi                          | ss that. Thanks. Just landed.                                                                                                                                                                                                       |  |  |
| Sent fro                          | om my iPhone                                                                                                                                                                                                                        |  |  |
| On Aug                            | 28, 2018, at 8:49 AM, Hewitt, James < <a href="mailto:hewitt.james@epa.gov">hewitt.james@epa.gov</a> > wrote:                                                                                                                       |  |  |
|                                   | ICYMI                                                                                                                                                                                                                               |  |  |
|                                   | From: Bonnie Becker [mailto:BBecker@wcmh.com]  Sent: Tuesday, August 28, 2018 3:31 AM  To: Press < Press@epa.gov >  Cc: WCMH Assignment Desk < WCMHAssignmentDesk2@nexstar.tv >  Subject: Columbus Ohio Administrator Wheeler visit |  |  |
|                                   | Good morning.                                                                                                                                                                                                                       |  |  |
|                                   | I would like to RSVP to the media event in Columbus, OH on 08/28/2018 on behalf of NBC 4, WCMH.                                                                                                                                     |  |  |
|                                   | We will send someone to cover.                                                                                                                                                                                                      |  |  |
|                                   | Thank you.                                                                                                                                                                                                                          |  |  |
|                                   | Bonnie Becker                                                                                                                                                                                                                       |  |  |
|                                   | Assignment Editor                                                                                                                                                                                                                   |  |  |
|                                   | NBC 4, WCMH                                                                                                                                                                                                                         |  |  |
|                                   | 614.263.5555                                                                                                                                                                                                                        |  |  |
|                                   | bbecker@wcmh.com                                                                                                                                                                                                                    |  |  |

From: Ex. 7(F)

**Sent**: 2/27/2019 7:00:02 PM

To: Hewitt, James [hewitt.james@epa.gov]
Subject: Re: looking CPAC security contact

Good copy. Thanks. I just need to see where security prefers our arrival for the media event.

Also, is the second location within the Gaylord as well? Or is it elsewhere?

**Ex. 7(F)** | Special Agent

U.S. Environmental Protection Agency

**Protective Service Detail** 

Cell: Ex. 6 Personal Privacy (PP)

CONFIDENTIALITY NOTICE: This message is being sent by a Federal Law Enforcement Officer. It is intended exclusively for the individual(s) to whom it is addressed. This communication may contain information that is proprietary, privileged, confidential, or otherwise legally exempt from disclosure. If you are not a named addressee, you are not authorized to read, print, retain, copy, or disseminate this message. If you have received this message in error, please notify the sender immediately by e-mail and delete all copies of this message.

On Feb 27, 2019, at 13:57, Hewitt, James <a href="mailto:hewitt.james@epa.gov">hewitt.james@epa.gov</a>> wrote:

Ex. 7(F) FYI, AW is not speaking on stage. He is just doing media row and attending an event afterwards.

From: Kelsey Rihbany < kelsey@conservative.org > Sent: Wednesday, February 27, 2019 1:57 PM
To: Hewitt, James < hewitt\_james@epa.gov >

Cc: Ex. 7(F)

Subject: Re: looking CPAC security contact

My name is Kelsey Rihbany and I handle the speaker logistics for CPAC if you have any questions please feel free to call me or email me as well.

Ex. 6 Personal Privacy (PP)

Below is also the name and phone number for the head of security for CPAC as well:

Tim Holloway

Ex. 6 Personal Privacy (PP)

From: Michi Iljazi

Sent: Wednesday, February 27, 2019 12:38 PM

To: Hewitt, James

Cc Ex. 7(F) ; Kelsey Rihbany
Subject: Re: looking CPAC security contact

Kelsey please advise, thanks!

--Michi

Michi Iljazi
Director of Government Affairs
American Conservative Union
201 N. Union Street, Suite 370
Alexandria, VA 22314
202-347-9388 Ext. 170
Michi@conservative.org
www.conservative.org

#### **CONFIDENTIALITY NOTICE:**

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On Feb 27, 2019, at 12:37 PM, Hewitt, James <a href="mailto:legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legentage-legent

Michi,

Do you have a security contact at the Gaylord/CPAC I can put a member of Administrator Wheeler's security detail in touch with? I've cc'd [Ex. 7(F)] who is a part of AW's security detail who has some logistical questions.

Thank you, James

James Hewitt
Environmental Protection Agency
Press Secretary

Ex. 6 Personal Privacy (PP)

From: Mears, Mary [Mears.Mary@epa.gov]

**Sent**: 5/22/2018 8:13:19 PM

**To**: May, Jennifer [May.Jennifer@epa.gov]

CC: Daniell, Kelsi [daniell.kelsi@epa.gov]; Konkus, John [konkus.john@epa.gov]; Hewitt, James [hewitt.james@epa.gov];

Abboud, Michael [abboud.michael@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Beach, Christopher

[beach.christopher@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Rodriguez, Elias

[Rodriguez.Elias@epa.gov]; Dimas, Melissa [Dimas.Melissa@epa.gov]

Subject: Re: FOR OPA REVIEW AND APPROVAL: American Cyanamid Superfund Site News Release

Thanks Jen. Nancy was looking into getting the release cleared.

Sent from my iPhone

On May 22, 2018, at 3:59 PM, May, Jennifer < May.Jennifer@epa.gov> wrote:

Here are the NJDEP and Mayor quotes. Please let Mary, Elias and I know when the release is approved. Thank you.

# Ex. 5 Deliberative Process (DP)

-Jennifer

From: Mears, Mary

Sent: Tuesday, May 22, 2018 10:24 AM

To: Daniell, Kelsi <daniell.kelsi@epa.gov>; Konkus, John <konkus.john@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>

Cc: Rodriguez, Elias < Rodriguez, Elias @epa.gov >; Dimas, Melissa < Dimas, Melissa @epa.gov >; May, Jannifor & May, Jannifor

Jennifer <May.Jennifer@epa.gov>

Subject: RE: FOR OPA REVIEW AND APPROVAL: American Cyanamid Superfund Site News Release

I was not sure to whom to send this, so sending to all just in case. This is the release with a Peteapproved Pete Lopez quote. We are still waiting on NJDEP and Mayor quotes.

From: Daniell, Kelsi

Sent: Monday, May 21, 2018 3:59 PM
To: Mears, Mary < Mears. Mary@epa.gov>

Subject: RE: FOR OPA REVIEW AND APPROVAL: American Cyanamid Superfund Site News Release

Mary – Can you work on adding a quote from RA Lopez? We'll edit release and get back to you!

From: Block, Molly

Sent: Monday, May 21, 2018 3:43 PM

To: regionalpress <regionalpress@epa.gov>; Konkus, John <konkus.john@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>

Subject: RE: FOR OPA REVIEW AND APPROVAL: American Cyanamid Superfund Site News Release

Adding Chris Beach too look at the quote.

From: regionalpress

Sent: Monday, May 21, 2018 3:42 PM

To: Konkus, John <<u>konkus.john@epa.gov</u>>; Hewitt, James <<u>hewitt.james@epa.gov</u>>; Abboud, Michael

<abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>; Bowman, Liz

<Bowman.Liz@epa.gov>

Subject: FW: FOR OPA REVIEW AND APPROVAL: American Cyanamid Superfund Site News Release

Importance: High

From: Kluesner, Dave

**Sent:** Monday, May 21, 2018 7:41:51 PM (UTC+00:00) Monrovia, Reykjavik

**To:** regionalpress

Cc: Mears, Mary; Rodriguez, Elias

Subject: FOR OPA REVIEW AND APPROVAL: American Cyanamid Superfund Site News Release

[PETE APPROVED]

Attached news release for Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

NOTE: Proposed Administrator quote.

Also attached is the Comms Strategy.

Please let me know if you have any questions. thanks

David W. Kluesner

<image001.jpg> <image002.png> <image003.png> <image004.png> <image005.png> <image006.png>

U.S. Environmental Protection Agency, Region 2
Deputy Director, Public Affairs
290 Broadway, 26<sup>th</sup> Floor
New York, NY 10007
212.637.3653 (Office)

Ex. 6 Personal Privacy (PP) (Cell)

From: Hewitt, James [hewitt.james@epa.gov]

**Sent**: 8/2/2017 4:46:55 PM

**To**: Alexandria Swoyer [aswoyer@washingtontimes.com]

CC: bwolfgang@washingtontimes.com
Subject: Re: DC water projects exclusive

Awesome, thanks Alex. Ben, nice to meet you. Please let me know if this might be of interest and don't hesitate reach out in the future if you need anything.

Sent from my iPhone

On Aug 2, 2017, at 12:44 PM, Alexandria Swoyer <aswoyer@washingtontimes.com> wrote:

Thanks James. I copied Ben on the email who can get in touch with you further on this.

Thanks for thinking of us.

Sincerely, Alex Swoyer

Sent from my iPhone

On Aug 2, 2017, at 12:42 PM, Hewitt, James < hewitt.james@epa.gov > wrote:

Hey Alex,

ff the record and on background: The attached release is set to go out tomorrow. We would like to give the Washington Times the opportunity to write about this funding in advance as an exclusive. It pertains to DC clean water and infrastructure. We can embargo the release until a story if posted if one of your colleagues is interested in reporting.

If they would also like to have some video content to go along with the article, we have this video which describes one of the grants from the DC government's environmental chief: <a href="https://youtu.be/U1QMYBplxY4">https://youtu.be/U1QMYBplxY4</a>. They would likewise be the only outlet to get this video in advance and they have permission to post it from EPA.

Thanks, James

<DC Water Projects DRAFT PR 7.28.17 .docx>

The information contained in this electronic transmission is intended for the exclusive use of the individuals to whom it is addressed and may contain information that is privileged and confidential, the disclosure of which is prohibited by law. If the reader of this transmission is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. In addition, any unauthorized copying, disclosure or distribution of the material in this e-mail and any attachments is strictly forbidden.

From: Hewitt, James [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=41B19DD598D340BB8032923D902D4BD1-HEWITT, JAM]

**Sent**: 8/2/2017 4:42:21 PM

To: aswoyer@washingtontimes.com
Subject: DC water projects exclusive

Attachments: DC Water Projects DRAFT PR 7.28.17 .docx

Hey Alex,

ff the record and on background: The attached release is set to go out tomorrow. We would like to give the Washington Times the opportunity to write about this funding in advance as an exclusive. It pertains to DC clean water and infrastructure. We can embargo the release until a story if posted if one of your colleagues is interested in reporting.

If they would also like to have some video content to go along with the article, we have this video which describes one of the grants from the DC government's environmental chief: <a href="https://youtu.be/U1QMYBpixY4">https://youtu.be/U1QMYBpixY4</a>. They would likewise be the only outlet to get this video in advance and they have permission to post it from EPA.

Thanks, James

From: Hewitt, James [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=41B19DD598D340BB8032923D902D4BD1-HEWITT, JAM]

**Sent**: 4/15/2019 7:45:02 PM

To: Dennis, Allison [Dennis.Allison@epa.gov]

Subject: RE: exclusive on new permitting requirements?

Sounds good.

From: Dennis, Allison

**Sent:** Monday, April 15, 2019 3:45 PM **To:** Hewitt, James <a href="mailto:leevitt.james@epa.gov">leevitt.james@epa.gov</a>

**Subject:** RE: exclusive on new permitting requirements?

When we ended the call with anna, we kept it on background only. I'd like to stick with that.

From: Hewitt, James

Sent: Monday, April 15, 2019 3:24 PM
To: Dennis, Allison < Dennis. Allison@epa.gov>

Subject: FW: exclusive on new permitting requirements?

Is there a quote we can draft to attribute to Dave on this?

From: Schultz, David <<u>dSchultz@bloombergenvironment.com</u>>

**Sent:** Monday, April 15, 2019 3:21 PM **To:** Hewitt, James < hewitt.james@epa.gov>

**Cc:** Schiermeyer, Corry < schiermeyer.corry@epa.gov> **Subject:** RE: exclusive on new permitting requirements?

Thanks again for setting up the conversation with me on this earlier this afternoon. I had one question I forgot to ask you: do you guys have anything you can send me on the record on this? I'd like to add some quotes to my story.

Thanks.

David

David Schultz
Reporter
Bloomberg Environment

703.341.3696

dschultz@bloombergenvironment.com

From: Hewitt, James [mailto:hewitt.james@epa.gov]

Sent: Monday, April 15, 2019 1:55 PM

To: Saiyid, Amena <a href="mailto:saiyid@bloombergenvironment.com">asaiyid@bloombergenvironment.com</a>

Cc: Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Schultz, David <dSchultz@bloombergenvironment.com>

Subject: RE: exclusive on new permitting requirements?

David,

We will give you a call at 2:30. Below please find an **EMBARGOED press release**. This embargo will be lifted after our phone call.

#### **EPA Issues Guidance on Clean Water Act Permitting Requirements**

EPA's Interpretative Statement provides certainty to states and the regulated community while recognizing long-standing protections for America's groundwater.

**WASHINGTON** – Today, the U.S. Environmental Protection Agency (EPA) issued guidance clarifying the application of Clean Water Act (CWA or the Act) permitting requirements to groundwater. EPA's Interpretative Statement concludes that Congress excluded releases of pollutants to groundwater from the Act's permitting requirements and instead left regulation of those releases to the states and EPA's other statutory authorities.

Consistent with Congress' vision for a strong federal state partnership to protect the country's groundwater resources, the agency's new guidance recognizes the state's leadership role in protecting groundwater and provides certainty to states and others who implement and enforce EPA's federal permitting programs. EPA's Interpretative Statement will help inform federal and state regulators with future National Pollutant Discharge Elimination System (NPDES) permitting and enforcement decisions.

States should continue to take an active role in regulating discharges to waters within their jurisdictions, as provided in state law and envisioned under the CWA. EPA will continue fulfilling its role in protecting groundwater and hydrologically connected surface waters as authorized by Congress through the Safe Drinking Water Act, the Resource Conservation and Recovery Act, and the Comprehensive Environmental Response, Compensation, and Liability Act.

#### **Background**

Recent conflicting federal court decisions and the prior lack of clear agency guidance regarding whether NPDES permits are required for releases of pollutants to groundwater has caused uncertainty regarding how the agency and states should implement and enforce the NPDES permitting program. In February 2018, EPA requested public comment on whether the agency should revise or clarify its position on the issue. At the same time, the agency also undertook a comprehensive review of prior agency statements on the matter and performed a holistic analysis of the text, structure, and legislative history of the Act. Based on this analysis and careful consideration of public input, EPA concluded that Congress excluded releases of pollutants to groundwater from the Act's permitting requirements, regardless of whether there is a hydrological connection between the groundwater and a water of the United States.

In conjunction with issuing its Interpretative Statement, the agency is seeking additional public input regarding what may be needed to provide further clarity and regulatory certainty on this issue. The comment period will be open for 45 days after the Interpretative Statement is published in the Federal Register.

For more information visit https://www.epa.gov/npdes/releases-point-source-groundwater.

From: Saiyid, Amena <asaiyid@bloombergenvironment.com>

**Sent:** Monday, April 15, 2019 1:25 PM

To: Hewitt, James < hewitt.james@epa.gov>

Cc: Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Schultz, David <dSchultz@bloombergenvironment.com>

Subject: Re: exclusive on new permitting requirements?

Hi James

We are extremely interested. My colleague David Schultz, (Ex.6 Personal Privacy (PP) copied on this email will cover it. When do you plan on releasing it? Can you give us some leeway in that please.

Thanks

Amena

# Sent from my iPhone

On Apr 15, 2019, at 1:03 PM, Hewitt, James <a href="mailto:lewitt.james@epa.gov">hewitt.james@epa.gov</a>> wrote:

Amena,

OTR: EPA will issue a guidance on clarifying the application of Clean Water Acting permitting requirements to groundwater very soon. I was wondering if you might be interested in talking with someone from our water office to discuss the guidance. Please let me know if you're interested and I can send you more info. We have someone available to talk between 2-3pm today.

Thanks, James

James Hewitt Environmental Protection Agency Press Secretary

Ex. 6 Personal Privacy (PP)

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 2/2/2017 7:43:57 PM

To: AO OPA Media Relations [AO OPA Media Relations@epa.gov]

CC: Grantham, Nancy [Grantham.Nancy@epa.gov]; Hull, George [Hull.George@epa.gov]

**Subject**: Robert's Daily Wrap 2/2

# Air

Accu-Weather (Jennifer Fabiano) [Received 1/31] – OPEN – 2016 Clean School Bus Rebate Program; reporter would like information about program in Maine and Connecticut – questions in program; OTAQ handling. – DDL 2/6

BNA (Brian Dabbs) [Received 1/31] – CLOSED–2017 RFS and social media policy – sent response

# **Environmental Information**

Fed Health IT (April Doster) [Received week of 1/23] – OPEN – Interview with Sean Kelley, named among Fed Health Top 100 Officials; discussing with OPA – DDL Flexible

# **International and Tribal**

Middle East Eye (Jacob Powell) [Received 1/26] - OPEN – EPA Middle East programs and grants freeze – OITA response awaiting OPS approval.

#### **Pesticides**

Agri-Pulse (Steve Davies) [Received 1/25] – OPEN – Pyrethroids; response awaiting approval – DDL ASAP

Scientific American (Rachel Cernansky) [Received 1/30] – OPEN – Freelance reporter exploring a story about GHS mixtures equation testing; GHS mixtures equations aim at reducing use of animals in testing pesticide formulas; response awaiting OPS approva – DDL 2/1

# Research and Development

Bloomberg (Pat Rizzuto) [Received 2/1] – CLOSED – NCEA leadership chart; question in program; response sent, but reporter had already run her story.

#### TRI

Vice (Arielle Duhaime-Ross) [Received 1/31] – OPEN – Follow-up questions on future of TRI data; other transition-related question – discussing with OPA – DDL 2/7

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

From: Daguillard, Robert [Daguillard.Robert@epa.gov]

**Sent**: 2/1/2017 7:42:42 PM

To: AO OPA Media Relations [AO\_OPA\_Media\_Relations@epa.gov]

**Subject**: Robert's Daily Wrap 2/1

#### **AIR**

Accu-Weather (Jennifer Fabiano) [Received 1/31] – OPEN – 2016 Clean School Bus Rebate Program; reporter would like information about program in Maine and Connecticut – DDL 2/6

BNA (Brian Dabbs) [Received 1/31] – OPEN – 2017 RFS and social media policy – sent social media statement, working on RFS response – Won't meet 1/31 deadline

#### **Environmental Information**

Fed Health IT (April Doster) [Received week of 1/23] – OPEN – Interview with Sean Kelley, named among Fed Health Top 100 Officials; discussing with OPA – DDL Flexible

#### International and Tribal

Middle East Eye (Jacob Powell) [Received 1/26] - OPEN – EPA Middle East programs and grants freeze – OITA response awaiting OPS approval.

#### **Pesticides**

Agnet Media (Josh McGill) [Received 1/26] - CLOSED - Pyrethroids; sent response

Agri-Pulse (Steve Davies) [Received 1/25] – OPEN – Pyrethroids; response awaiting approval – DDL Today

Scientific American (Rachel Cernansky) [Received 1/30] – OPEN – Freelance reporter exploring a story about GHS mixtures equation testing; GHS mixtures equations aim at reducing use of animals in testing pesticide formulas; in program – DDL 2/1

#### **Toxics**

BNA (Pat Rizzuto) [Received 1/26] – CLOSED – Evaluation of chemicals under TSCA; response sent

Vermont Public Radio (Kathleen Masterson) [Received 1/24] – CLOSED – Reporter fact-checking basic information about TSCA (numbers of registered chemicals, etc.); response sent

### TRI

Vice (Arielle Duhaime-Ross) [Received 1/31] – OPEN – Follow-up questions on future of TRI data; other transition-related question – discussing with OPA – DDL 2/2

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP)

From: Sauerhage, Maggie [Sauerhage.Maggie@epa.gov]

**Sent**: 7/23/2019 1:42:24 PM

**To**: Schiermeyer, Corry [schiermeyer.corry@epa.gov]

**Subject**: Fwd: Tire Crumb Materials - close hold

Attachments: Priority QandAs\_Tire Crumb\_July 18\_2019.docx; ATT00001.htm; Tire Crumb Desk

Statement\_FINAL\_July18\_2019.docx; ATT00002.htm

Maggie Sauerhage Office of Public Affairs U.S. Environmental Protection Agency

Office: (202) 564-0443
Cell: Ex. 6 Personal Privacy (PP)

# Begin forwarded message:

From: "Grantham, Nancy" < Grantham. Nancy@epa.gov>

Date: July 22, 2019 at 1:12:05 PM EDT

To: Regional Public Affairs Directors < Regional Public Affairs Directors@epa.gov>

Cc: "Hubbard, Carolyn" < Hubbard. Carolyn@epa.gov>

Subject: Tire Crumb Materials - close hold

Please see attached .. these are close hold – anticipate **Ex. 5 Deliberative Process (DP)** thanks ng

| From: MicFaul, Jessical/O=EXCHANGELAB<br>(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=5<br>Sent: Thur 9/5/2019 8:59:24 PM (UTC)<br>Subject: FOR REVIEW: OPA Tracker (Sept. 9)<br>2019-2020 DRAFT-DELIBERATIVE OPA Monthl | 1B00479CD7446E4AA7743028C<br>) |                                                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|
| All – Please review and reply to this email with Thanks to all who have already submitted! Jess                                                                                                                |                                | Tracker for next week <b>by 1pm EDT tomorrow</b> . |
|                                                                                                                                                                                                                |                                | Process (DP)                                       |
| Seife v. EPA (1:19-cv-05190)                                                                                                                                                                                   | 9.1.2020                       | ED_003047_00077760-00001                           |

# Ex. 5 Deliberative Process (DP)

Jessica McFaul Senior Advisor for Strategic and Regional Communications Office of the Administrator, Office of Public Affairs U.S. Environmental Protection Agency

mcfaul.jessica@epa.gov
Desk: 202-564-6429
Cell: Ex. 6 Personal Privacy (PP)

From: McFaul, Jessica [mcfaul.jessica@epa.gov]

**Sent**: 8/9/2019 3:06:01 PM

Subject: RE: FOR REVIEW: OPA Content Tracker (Week of Aug. 12)

Attachments: 2019-2020 DRAFT-DELIBERATIVE OPA Monthly Content Tracker.docx

Importance: High

If you have edits/additions that you haven't submitted, please send them now. Thanks! Jess

From: McFaul, Jessica <mcfaul.jessica@epa.gov>

Sent: Thursday, August 8, 2019 9:13 AM

Subject: FOR REVIEW: OPA Content Tracker (Week of Aug. 12)

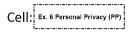
Tracker attached for input/edits (week ahead pasted below). Please reply to this email by 9am ET tomorrow. Thanks!

less

# Ex. 5 Deliberative Process (DP)

Jessica McFaul
Senior Advisor for Public Affairs
Office of the Administrator
U.S. Environmental Protection Agency

mcfaul.jessica@epa.gov Desk: 202-564-6429



| From: McFaul, Jessica[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=51B00479CD7446E4AA7743028C0D8D91-MCFAUL, JES]  Sent: Thur 8/15/2019 9:09:21 PM (UTC)                                                                                                                                                                                                                                          |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| Subject: FOR REVIEW: OPA Tracker (Week of August 19) 2019-2020 DRAFT-DELIBERATIVE OPA Monthly Content Tracker.docx                                                                                                                                                                                                                                                                                                                      |  |
| This got stuck in my outbox this week, folks. <u>Thank you</u> to those who proactively submitted your edits to the tracker for next week. For those who haven't, <u>please reply to this email by 10am tomorrow</u> with your additions. We've had a few things pop up on us lately that probably should have been in the tracker, so make sure you are sending what you have coming out. If you have any questions, let me know. Jess |  |
| Ex. 5 Deliberative Process (DP)                                                                                                                                                                                                                                                                                                                                                                                                         |  |

Jessica McFaul Senior Advisor for Strategic and Regional Communications Office of the Administrator, Office of Public Affairs U.S. Environmental Protection Agency

mcfaul.jessica@epa.gov

Desk: 202-564-6429
Cell: Ex. 6 Personal Privacy (PP)

To: Abboud, Michael[abboud.michael@epa.gov]
Cc: Dickerson, Aaron[dickerson.aaron@epa.gov]

From: Schiermeyer, Corry[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B0332276A9784253A5A78F39ECCF1F29-SCHIERMEYER]

**Sent:** Wed 8/7/2019 9:24:07 PM (UTC)

Subject: 401 q/a

DRAFT Q-A CLOSE HOLD.docx

I'm thinking Aaron already finished the book for tonight, so let's get the attached to the Administrator in the morning. This could be helpful for the WSJ interview.

Corry Schiermeyer
Associate Administrator
Office of Public Affairs
Environmental Protection Agency
Schiermeyer.corry@epa.gov
202-564-6782

From: Bennett, Tate [Bennett.Tate@epa.gov]

**Sent**: 5/23/2017 7:25:44 PM

To: Britt Aasmundstad [britt@nasda.org]; Dudley Hoskins [Dudley@nasda.org]
CC: Wilcox, Jahan [wilcox.jahan@epa.gov]; Nathan Bowen [Nathan@nasda.org]

Subject: RE: connecting you

Thank you!

From: Britt Aasmundstad [mailto:britt@nasda.org]

Sent: Tuesday, May 23, 2017 2:42 PM

**To:** Bennett, Tate <Bennett.Tate@epa.gov>; Dudley Hoskins <Dudley@nasda.org> **Cc:** Wilcox, Jahan <wilcox.jahan@epa.gov>; Nathan Bowen <Nathan@nasda.org>

Subject: RE: connecting you

Hi Tate and Jahan,

We think the below folks would be good points of contact and potential visits for a WOTUS tour. These are departments who were involved in WOTUS previously and have infrastructure to be helpful as well as unique water challenges:

- · Commissioner John McMillan, Alabama
- Commissioner Doug Goehring, North Dakota or Secretary Jackie McClaskey, Kansas
- · Secretary Jeff Witte, New Mexico (recommended) or Director Celia Gould, Idaho

Please let us know how we can continue to be helpful.

Thanks!

Britt

## **Britt Aasmundstad**

National Association of State Departments of Agriculture (202) 296-9680

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]

**Sent:** Tuesday, May 23, 2017 10:29 AM

To: Dudley Hoskins

Cc: Wilcox, Jahan; Nathan Bowen; Britt Aasmundstad

Subject: Re: connecting you

And please keep a close hold

On May 23, 2017, at 9:58 AM, Dudley Hoskins < Dudley@nasda.org> wrote:

Thanks Tate -- yes indeed. Please let us strategize internally and get back to you shortly. Thanks!

Sent from my iPhone

On May 23, 2017, at 9:55 AM, Bennett, Tate <Bennett. Tate@epa.gov> wrote:

Dudley-

Working on putting together our WOTUS tour. Can you identify some good state Ag Commissioners (will keep confidential) for us to target while beginning to build out a plan? Copying Jahan who is running point.

Tate

Elizabeth Tate Bennett Senior Deputy Associate Administrator Congressional and Intergovernmental Affairs Office of the Administrator U.S. Environmental Protection Agency

From: Schwab, Justin [Schwab.Justin@epa.gov]

**Sent**: 4/25/2019 2:57:12 PM

To: Schwab, Justin [schwab.justin@epa.gov]; Schiermeyer, Corry [schiermeyer.corry@epa.gov]; Abboud, Michael

[abboud.michael@epa.gov]; Woods, Clint [woods.clint@epa.gov]; Stahle, Susan [Stahle.Susan@epa.gov]; Orlin,

David [Orlin.David@epa.gov]

Subject: Press Strategy - Call-in # Ex. 6 Personal Privacy (PP)

Location: 4407A/OPA/TBD

**Start**: 4/26/2019 6:30:00 PM **End**: 4/26/2019 7:00:00 PM

Show Time As: Busy

From: Schwab, Justin [Schwab.Justin@epa.gov]

**Sent**: 4/25/2019 2:57:12 PM

To: Schwab, Justin [schwab.justin@epa.gov]; Schiermeyer, Corry [schiermeyer.corry@epa.gov]; Abboud, Michael

[abboud.michael@epa.gov]; Woods, Clint [woods.clint@epa.gov]; Stahle, Susan [Stahle.Susan@epa.gov]; Orlin,

David [Orlin.David@epa.gov]

CC: Bunker, Byron [bunker.byron@epa.gov]; Cohen, Janet [cohen.janet@epa.gov]; Millett, John [Millett.John@epa.gov];

Birgfeld, Erin [Birgfeld.Erin@epa.gov]

Subject: Press Strategy - Call-in #: Ex. 6 Personal Privacy (PP)

Location: 4407A/OPA/TBD

**Start**: 4/26/2019 6:30:00 PM **End**: 4/26/2019 7:00:00 PM

Show Time As: Busy

From: Schwab, Justin [Schwab.Justin@epa.gov]

**Sent**: 4/25/2019 2:57:10 PM

To: Schiermeyer, Corry [schiermeyer.corry@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Woods, Clint

[woods.clint@epa.gov]; Stahle, Susan [Stahle.Susan@epa.gov]; Orlin, David [Orlin.David@epa.gov]

**Subject**: press strategy **Location**: 4407A/OPA/TBD

**Start**: 4/26/2019 6:30:00 PM **End**: 4/26/2019 7:15:00 PM

Show Time As: Tentative

From: Shaffer, Patricia [Shaffer.Patricia@epa.gov]

**Sent**: 4/25/2019 4:20:03 PM

To: Schiermeyer, Corry [schiermeyer.corry@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Woods, Clint

[woods.clint@epa.gov]; Stahle, Susan [Stahle.Susan@epa.gov]; Orlin, David [Orlin.David@epa.gov]

Subject: Press Strategy - Call-in #: Ex. 6 Personal Privacy (PP)

Location: 4407A/OPA/TBD

**Start**: 4/26/2019 6:30:00 PM **End**: 4/26/2019 7:00:00 PM

**Show Time As:** Tentative

From: Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]

**Sent**: 1/29/2019 5:09:00 PM

**To**: Dunn, Alexandra [dunn.alexandra@epa.gov]

**Subject**: Accepted: Talk through press strategy

Location: WJCE 3130A

**Start**: 1/30/2019 6:15:00 PM **End**: 1/30/2019 6:45:00 PM

Show Time As: Busy

From: Schwab, Justin [Schwab.Justin@epa.gov]

**Sent**: 4/25/2019 2:57:12 PM

To: Schwab, Justin [Schwab.Justin@epa.gov]; Schiermeyer, Corry [schiermeyer.corry@epa.gov]; Abboud, Michael

[abboud.michael@epa.gov]; Woods, Clint [woods.clint@epa.gov]; Stahle, Susan [Stahle.Susan@epa.gov]; Orlin,

David [Orlin.David@epa.gov]

**Subject**: press strategy **Location**: 4407A/OPA/TBD

**Start**: 4/26/2019 6:30:00 PM **End**: 4/26/2019 7:15:00 PM

**Show Time As:** Tentative

From: Frye, Tony (Robert) [frye.robert@epa.gov]

**Sent**: 10/11/2019 7:26:12 PM

**To**: Abboud, Michael [abboud.michael@epa.gov]

Subject: Fwd: EMBARGOED: Lead and Copper

Tony

Begin forwarded message:

From: "Olsen, Elizabeth (EPW)" < Elizabeth Olsen@epw.senate.gov>

Date: October 11, 2019 at 1:14:21 PM EDT

To: "Frye, Tony (Robert)" <<u>frye.robert@epa.gov</u>>
Cc: "Edwards, John (Holt)" <<u>edwards.john@epa.gov</u>>

Subject: Re: EMBARGOED: Lead and Copper

"I applaud the Trump administration for taking key steps to ensure Americans have access to clean drinking water," said Barrasso. "Today's proposed rule is critical in protecting Americans' health. It aligns with bipartisan legislation we've passed in this committee. These proposed changes to the Lead and Copper Rule are long overdue."

Elizabeth "Lizzy" Olsen, J.D. Majority Counsel Senate Committee on Environment and Public Works O: (202) 224-6176

On Oct 10, 2019, at 4:03 PM, Frye, Tony (Robert) < frye.robert@epa.gov> wrote:

Hey Lizzy – Our press shop is pulling a What They Are Saying release. If you just want to send over the statement you all are going to use, I'll make sure it's included.

Thanks,

Tony

# **Tony Frye**

Director of Senate Affairs Office of Congressional Affairs Environmental Protection Agency

Cell: Ex. 6 Personal Privacy (PP)

From: Olsen, Elizabeth (EPW) < Elizabeth Olsen@epw.senate.gov >

Sent: Thursday, October 10, 2019 3:00 PM

To: Frye, Tony (Robert) < <a href="mailto:frye.robert@epa.gov">frye.robert@epa.gov</a> Cc: Edwards, John (Holt) < <a href="mailto:dewards.john@epa.gov">dewards.john@epa.gov</a>

Subject: Re: EMBARGOED: Lead and Copper

Will do.

Elizabeth "Lizzy" Olsen, J.D. Majority Counsel Senate Committee on Environment and Public Works O: (202) 224-6176

On Oct 10, 2019, at 2:41 PM, Frye, Tony (Robert) <frye.robert@epa.gov> wrote:

Excellent, if you send our way I'll make sure to share with folks here

Tony

On Oct 10, 2019, at 2:37 PM, Olsen, Elizabeth (EPW) <Elizabeth Olsen@epw.senate.gov> wrote:

Thanks Tony. This is great. We plan on putting out a statement of support today.

Best, Elizabeth "Lizzy" Olsen, J.D. Majority Counsel Senate Committee on Environment and Public Works O: (202) 224-6176

On Oct 9, 2019, at 1:56 PM, Frye, Tony (Robert) <frye.robert@epa.gov> wrote:

Hey Lizzy,

I wanted to share with you an EMBARGOED heads up that tomorrow, EPA will be announcing a proposed rule to significantly improve the actions that water systems must take to reduce lead in the nations drinking water. This action represents the first major overhaul of the Lead and Copper Rule since 1991 and marks a critical step in advancing the Trump Administration's Federal Action Plan to Reduce Childhood Lead Exposures.

Following tomorrow's announcement, EPA would like to offer a briefing to congressional committees sometime in the near future. If you are interested, please let me know and we will look for an appropriate time to provide this

briefing. As always, if you have any questions, please let me know. **EPA** appreciates you respecting this embargo until the rule is announced tomorrow at 1:30PM.

Best, Tony

# **Tony Frye**

Director of Senate Affairs
Office of Congressional Affairs
Environmental Protection Agency

Cell: Ex. 6 Personal Privacy (PP)

<LCR Summary.External.10.9.19.pdf>

From: Bennett, Tate [Bennett.Tate@epa.gov]

**Sent**: 7/20/2018 7:39:50 PM

To: Rodrick, Christian [rodrick.christian@epa.gov]; Ringel, Aaron [ringel.aaron@epa.gov]; Lyons, Troy

[lyons.troy@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Frye, Tony (Robert) [frye.robert@epa.gov];

Palich, Christian [palich.christian@epa.gov]

**Subject**: RE: Chairman Conaway Initiation to Sorghum Event

Thanks for staying on top of it and for letting us know!

From: Rodrick, Christian

Sent: Friday, July 20, 2018 3:38 PM

To: Bennett, Tate <Bennett.Tate@epa.gov>; Ringel, Aaron <ringel.aaron@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>;

Abboud, Michael <abboud.michael@epa.gov>; Frye, Tony (Robert) <frye.robert@epa.gov>; Palich, Christian

<palich.christian@epa.gov>

Subject: FW: Chairman Conaway Initiation to Sorghum Event

Chairman Conaway will not be attending on Tuesday.

Hoping to get a confirmation from team Arrington tonight.

Thanks,

Christian Rodrick Special Assistant Congressional Affairs U.S. EPA O: (202) 564-4828

From: Fischer, Bart [mailto:Bart.Fischer@mail.house.gov]

Sent: Friday, July 20, 2018 3:35 PM

To: Rodrick, Christian < rodrick.christian@epa.gov>

Subject: RE: Chairman Conaway Initiation to Sorghum Event

Think we are going to pass this time. Thanks though!

From: Rodrick, Christian [mailto:rodrick.christian@epa.gov]

Sent: Friday, July 20, 2018 3:35 PM

To: Fischer, Bart < Bart. Fischer@mail.house.gov>

Subject: RE: Chairman Conaway Initiation to Sorghum Event

Hey thanks Bart. Completely understand the dynamic. Just let us know whatever is best for the member.

Christian Rodrick Special Assistant Congressional Affairs U.S. EPA O: (202) 564-4828

From: Fischer, Bart [mailto:Bart.Fischer@mail.house.gov]

Sent: Friday, July 20, 2018 3:13 PM

To: Rodrick, Christian < rodrick.christian@epa.gov>

Subject: RE: Chairman Conaway Initiation to Sorghum Event

Hi Christian,

The personal office has been waiting on a response from us. RFS/Biofuel events are always tricky for us given the Chairman has a huge livestock and crude presence in his district. But, we are also very supportive of ag (including sorghum), so we're still sorting through. Will try to get back to you this afternoon.

Bart

From: Rodrick, Christian [mailto:rodrick.christian@epa.gov]

Sent: Friday, July 20, 2018 1:21 PM

To: Fischer, Bart <Bart.Fischer@mail.house.gov>

Subject: FW: Chairman Conaway Initiation to Sorghum Event

Bart,

Wanted to loop you in on this, as I had not heard from the Chairman's personal office. Perfectly fine if the Chairman has no interest in attending, but I did want to make sure his invitation was received.

Thanks,

Christian Rodrick Special Assistant Congressional Affairs U.S. EPA O: (202) 564-4828

From: Rodrick, Christian

Sent: Wednesday, July 18, 2018 3:46 PM

To: 'Mark.williams@mail.house.gov' < Mark.williams@mail.house.gov>

Subject: FW: Chairman Conaway Initiation to Sorghum Event

Mark,

Tate shared your contact information with me. Wanted to make sure I shared the below message with you.

Please let me know if you have any questions, thanks.

Christian Rodrick Special Assistant Congressional Affairs U.S. EPA

O: (202) 564-4828

From: Rodrick, Christian

Sent: Wednesday, July 18, 2018 11:25 AM

To: 'emily.keener@mail.house.gov' <emily.keener@mail.house.gov>; 'michael.horder@mail.house.gov'

<michael.horder@mail.house.gov>

Cc: Ringel, Aaron < ringel.aaron@epa.gov>

Subject: Chairman Conaway Initiation to Sorghum Event

Hey Emily and Michael,

I wanted to reach out to you to invite Chairman Conaway to join Administrator Wheeler at an announcement ceremony at EPA HQ for EPA's confirmation of the Sorghum oil pathway.

The event will be taking place at 5:00PM on Tuesday, July 24<sup>th</sup> in the Administrator's office located in the William Jefferson Clinton North Building at 1200 Pennsylvania Ave NW. (Directly above the Federal Triangle metro stop.)

Please let me know if your boss would like to attend this event with Administrator Wheeler. If so, I'll be happy to work with you on entry into the building and parking if necessary.

If you have any questions, please feel free to reach out. As always, we ask that you keep the event close hold until details and signing are final.

Thanks,

## **Christian Rodrick**

Special Assistant
Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency
O: (202) 564-4828

O: (202) 564-4828 C: Ex. 6 Personal Privacy (PP)

E: Rodrick.Christian@epa.gov

From: Kundinger, Kelly [kundinger.kelly@epa.gov]

**Sent**: 7/18/2018 10:04:54 PM

**To**: Bennett, Tate [Bennett.Tate@epa.gov]

CC: Dunn, Alexandra [dunn.alexandra@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]

**Subject**: Re: Draft Run of Show for R1/New Bedford Visit

Yes, these times look great.

On Jul 18, 2018, at 5:48 PM, Bennett, Tate < Bennett Tate@epa.gov > wrote:

We good with this Mikes and Kelly?

On Jul 18, 2018, at 5:40 PM, Dunn, Alexandra < dunn alexandra@epa.gov > wrote:

Let me know if I can share

Sent from my iPhone

Alexandra Dapolito Dunn, J.D. Regional Administrator Region 1 New England (617) 918-1012

This email is for official EPA business only and may be subject to disclosure under the Freedom of information Act

On Jul 18, 2018, at 5:16 PM, Bennett, Tate < Bennett, Tate@epa.gov > wrote:

Hi there! Thanks for putting this together. I think it will just be Michael Abboud and Michael Molina and Ken coming in from HQ. Going to be a wonderful day.

From: Dunn, Alexandra

**Sent:** Wednesday, July 18, 2018 4:13 PM

To: Bennett, Tate <Bennett. Tate@epa.gov>; Kundinger, Kelly

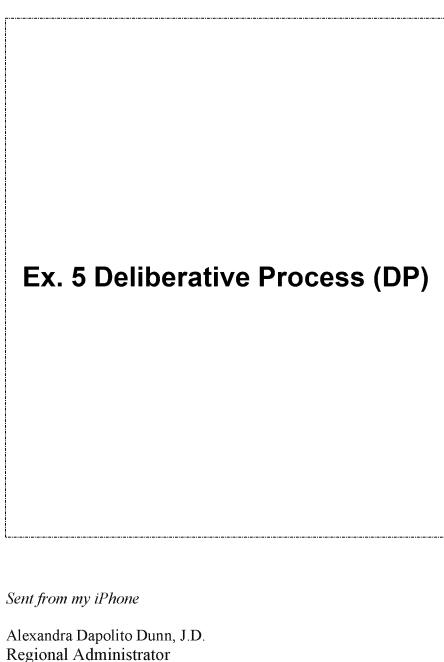
<kundinger.kelly@epa.gov>; Abboud, Michael

<abboud.michael@epa.gov>

Subject: Draft Run of Show for R1/New Bedford Visit

All - if you concur this is what we agreed to at noon can we circulate to our teams?

# Ex. 5 Deliberative Process (DP)



Alexandra Dapolito Dunn, J.D. Regional Administrator Region 1 New England (617) 918-1012

This email is for official EPA business only and may be subject to disclosure under the Freedom of information Act

From: Daniel Savickas [dsavickas@freedomworks.org]

**Sent**: 9/10/2019 3:20:59 PM

To: Abboud, Michael [abboud.michael@epa.gov]

Subject: Re: Embargoed until 11:00 tomorrow

Has this been published on <u>regulations.gov</u> yet? Haven't been able to find anything under the docket number EPA-HQ-OAR-2017-0757. If I have that wrong, let me know. I'm looking to get the docket link over to our marketing folks, so we can start looking into driving grassroots action. Any help would be much appreciated.

Best, Dan

On Wed, Aug 28, 2019 at 4:03 PM Daniel Savickas <a href="mailto:savickas@freedomworks.org">dsavickas@freedomworks.org</a> wrote:
Fantastic. Thanks so much! When there's a docket on the Register or on <a href="mailto:regulations.gov">regulations.gov</a>, please send that my way too so I can look into potentially driving activist comments.

Best, Dan

On Wed, Aug 28, 2019 at 3:50 PM Abboud, Michael <a href="mailto:abboud.michael@epa.gov">abboud.michael@epa.gov</a>> wrote:

Please keep a close hold on this.

## Michael Abboud

U.S. Environmental Protection Agency

Office of Public Affairs



--

Daniel Savickas Regulatory Policy Manager FreedomWorks

dsavickas@freedomworks.org (202) 942-7660 (work) Ex. 6 Personal Privacy (PP) (cell) Twitter: @DanielSavickas

111 K St NE Suite 600 Washington, DC 20002 "Is it not the better rule to leave all these works to private enterprise, regulated and, when expedient, aided by the cooperation of the state?" - President Franklin Pierce

The mission of FreedomWorks is to build, educate, and mobilize the largest network of activists advocating the principles of smaller government, lower taxes, free markets, personal liberty, and the rule of law.

--

Daniel Savickas Regulatory Policy Manager FreedomWorks

dsavickas@freedomworks.org (202) 942-7660 (work) Ex. 6 Personal Privacy (PP) (cell) Twitter: @DanielSavickas

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The mission of FreedomWorks is to build, educate, and mobilize the largest network of activists advocating the principles of smaller government, lower taxes, free markets, personal liberty, and the rule of law.

From: Kolb, John (JohnMark) [kolb.john@epa.gov]

**Sent**: 8/29/2019 5:57:49 PM

**To**: Abboud, Michael [abboud.michael@epa.gov]

CC: Brazauskas, Joseph [brazauskas.joseph@epa.gov]; McFaul, Jessica [mcfaul.jessica@epa.gov]; Rodrick, Christian

[rodrick.christian@epa.gov]

Subject: Fwd: EPA Announcement Tomorrow

JohnMark Kolb
Congressional Affairs
US Environmental Protection Agency

## Begin forwarded message:

From: "Thomas, James" < <u>James.Thomas@mail.house.gov</u>>

Date: August 29, 2019 at 1:55:34 PM AST

To: "Kolb, John (JohnMark)" < kolb.john@epa.gov>

Cc: "Rodrick, Christian" < rodrick.christian@epa.gov >, "McFaul, Jessica" < rodrick\_christian@epa.gov >

Subject: Re: EPA Announcement Tomorrow

Here is a statement from Congressman Lamborn regarding today's announcement. Feel free to shorten or revise as needed.

"I applaud Administrator Wheeler for correcting the Obama Administration's improper regulatory overreach and for following the letter of the law. Today's proposed rule will remove duplicative and unnecessary regulations which needlessly burden the development and use of our domestic energy resources. The fact is that the oil and gas industry will always have an economic incentive to limit methane because capturing it allows companies to sell more gas. That is why methane emissions have continued to decrease while energy production has increased over the same time period. Innovation and technology improvements within the oil and gas industry and not ideologically driven government regulation has made the U.S. the world's leader in emissions reductions."

From: "Kolb, John (JohnMark)" <kolb.john@epa.gov>

Date: Wednesday, August 28, 2019 at 2:51 PM

**To:** "Thomas, James" < <u>James.Thomas@mail.house.gov</u>>

Cc: "Rodrick, Christian" < rodrick.christian@epa.gov>, "McFaul, Jessica"

<mcfaul.jessica@epa.gov>

**Subject:** EPA Announcement Tomorrow

James,

Thanks for chatting. Please see attached memo on embargo until around noon/2pm mountain time. If Rep. Lamborn would like to submit a quote we can amplify.

Thanks!

# JohnMark Kolb

Congressional and Intergovernmental Relations U.S. Environmental Protection Agency

O: (202) 564-7793

C: Ex. 6 Personal Privacy (PP)

From: Daniel Savickas [dsavickas@freedomworks.org]

**Sent**: 8/28/2019 8:03:37 PM

To: Abboud, Michael [abboud.michael@epa.gov]

Subject: Re: Embargoed until 11:00 tomorrow

Fantastic. Thanks so much! When there's a docket on the Register or on <u>regulations.gov</u>, please send that my way too so I can look into potentially driving activist comments.

Best, Dan

On Wed, Aug 28, 2019 at 3:50 PM Abboud, Michael <a href="mailto:abboud.michael@epa.gov">abboud.michael@epa.gov</a>> wrote:

Please keep a close hold on this.

# Michael Abboud

U.S. Environmental Protection Agency

Office of Public Affairs

M: Ex. 6 Personal Privacy (PP)

Daniel Savickas Regulatory Policy Manager FreedomWorks

dsavickas@freedomworks.org (202) 942-7660 (work) Ex. 6 Personal Privacy (PP) (cell) Twitter: @DanielSavickas

111 K St NE Suite 600 Washington, DC 20002

"Is it not the better rule to leave all these works to private enterprise, regulated and, when expedient, aided by the cooperation of the state?" - President Franklin Pierce

The mission of FreedomWorks is to build, educate, and mobilize the largest network of activists advocating the principles of smaller government, lower taxes, free markets, personal liberty, and the rule of law.

From: Konkus, John [john.konkus@aecom.com]

**Sent**: 8/26/2019 8:38:51 PM

To: Abboud, Michael [abboud.michael@epa.gov]; Jackson, Ryan [jackson.ryan@epa.gov]

Subject: FW: Ruth Etzel

Attachments: 3 Records Resonsive OCHP FOIAs 7.19.2019.pdf; 555 Records Resonsive OCHP FOIAs 7.19.2019.pdf; 556 Records

Resonsive OCHP FOIAs 7.19.2019.pdf; 594-598 Records Resonsive OCHP FOIAs 7.19.2019.pdf

See below...

From: Kevin Bogardus < kbogardus@eenews.net>

**Sent:** Monday, August 26, 2019 4:26 PM **To:** Konkus, John <john.konkus@aecom.com>

Subject: Ruth Etzel

John,

Hi, it's Kevin Bogardus with E&E News.

Myself and my colleague Ariel Wittenberg are working on a story about Ruth Etzel, the former director of EPA's Office of Children's Health Protection. In our story, we are linking to and quoting from EPA emails and personnel records that I obtained under the Freedom of Information Act (please see attached). I had a few questions about this, which are:

- We will quote emails from you and EPA Chief of Staff Ryan Jackson discussing press strategy in response to Etzel being put on leave, such as "opportunity to strike" and "press pushing back on her" (please see 3 Records Resonsive\_OCHP FOIAs\_7.19.2019\_, 555 Records Resonsive\_OCHP FOIAs\_7.19.2019\_ and 556 Records Resonsive\_OCHP FOIAs\_7.19.2019\_). Do you have any additional comment?
- We will say that you received a list of EPA children's health-related grants (please see 594-598 Records Resonsive\_OCHP FOIAs\_7.19.2019\_). Why were you reviewing such grants? I ask because your grants review was rescinded in May 2018, according to this email (https://www.eenews.net/assets/2018/06/18/document\_gw\_19.pdf).

For your information, I have also emailed EPA press officials these questions and others for our story. That said, since we quote you from some of the emails, I wanted to give you a heads up about the story and see if you wanted to add any comment in response to these questions.

If you do wish to comment, please get back to me as soon as possible. My deadline is close of business Wednesday, Aug. 28, but the sooner you get back to me, the more it helps my reporting. Thank you for your help.

# **Kevin Bogardus**

**E&E News Reporter** 

kbogardus@eenews.net

202-446-0401 (p)

Ex. 6 Personal Privacy (PP)

202-737-5299 (f)

Follow me @KevinBogardus

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From: Pic, Jordan [pic.jordan@epa.gov]

**Sent**: 8/6/2019 5:09:39 PM

To: Abboud, Michael [abboud.michael@epa.gov]; Carter, Brittany S. [carter.brittanys@epa.gov]

Subject: RE: Clean Water Act Section 401

Hey there,

Wanted to follow up on this—I saw the 401 fact sheet but was wondering if there's something else you would prefer I send to them?

Thanks,

Jordan

From: Abboud, Michael <abboud.michael@epa.gov>

Sent: Monday, August 5, 2019 2:40 PM

To: Carter, Brittany S. <carter.brittanys@epa.gov>

Cc: Pic, Jordan <pic.jordan@epa.gov>
Subject: Re: Clean Water Act Section 401

We will shortly.

Sent from my iPhone

On Aug 5, 2019, at 2:26 PM, Carter, Brittany S. <carter.brittanys@epa.gov> wrote:

You have anything we could send over? Thanks!

Begin forwarded message:

From: "Simmons, Jason" < Jason. Simmons@state.sd.us>

**Date:** August 5, 2019 at 2:08:57 PM EDT **To:** "Pic, Jordan" < pic.jordan@epa.gov>

Cc: "Carter, Brittany S." < carter.brittanys@epa.gov>

Subject: RE: Clean Water Act Section 401

Thanks, Jordan. I'll check with our communications team. Do you have any suggested talking points that EPA would like highlighted?

## **Jason Simmons**

Policy Advisor
Office of South Dakota Governor Kristi Noem
Office (605) 773-2812 | Mobile Ex. 8 Personal Privacy (PP)

From: Pic, Jordan <pic.jordan@epa.gov>
Sent: Monday, August 5, 2019 12:04 PM

To: Simmons, Jason < <u>Jason.Simmons@state.sd.us</u>>

**Cc:** Carter, Brittany S. <<u>carter.brittanys@epa.gov</u>> **Subject:** [EXT] Clean Water Act Section 401

Hi Jason,

EPA is on track for announcing the CWA 401 proposed rulemaking on 8/9. (This information is close hold.) Would Governor Noem be interested in providing a quote for our press release or a letter? Happy to chat through this and appreciate the consideration.

Best regards,

Jordan Pic Special Advisor, Intergovernmental Affairs U.S. Environmental Protection Agency

| From:<br>Sent:<br>To:<br>Subject: | Harry Horton [hortonh@featurestory.com] 10/10/2017 5:59:18 PM Abboud, Michael [abboud.michael@epa.gov] Re: FW: EPA Proposes Repeal Of Clean Power Plan                      |  |  |
|-----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| Thank you as                      | nd noted.                                                                                                                                                                   |  |  |
| On Tue, Oct                       | n Tue, Oct 10, 2017 at 1:58 PM, Abboud, Michael <a href="mailto:abboud.michael@epa.gov">abboud.michael@epa.gov</a> > wrote:                                                 |  |  |
| Off the recor                     | d, this is the photo is the only thing to expect. No media event for this.                                                                                                  |  |  |
| Sent: Tuesda<br>To: Abboud,       | Horton [mailto: <u>hortonh@featurestory.com]</u><br>y, October 10, 2017 1:41 PM<br>Michael < <u>abboud.michael@epa.gov</u> ><br>FW: EPA Proposes Repeal Of Clean Power Plan |  |  |
| Many thank                        | S.                                                                                                                                                                          |  |  |
|                                   | irm - is Adm Pruitt scheduled to appear on camera at all today, or is the still photo all I should rms of media?                                                            |  |  |
| Thanks,                           |                                                                                                                                                                             |  |  |
| Harry                             |                                                                                                                                                                             |  |  |
| On Tue, Oc                        | t 10, 2017 at 12:57 PM, Abboud, Michael <abboud.michael@epa.gov> wrote:</abboud.michael@epa.gov>                                                                            |  |  |
| Hey Harry, v                      | wanted to make sure you saw this.                                                                                                                                           |  |  |
|                                   |                                                                                                                                                                             |  |  |

CONTACT: press@epa.gov

# EPA Takes Another Step To Advance President Trump's America First Strategy, Proposes Repeal Of "Clean Power Plan"

WASHINGTON (October 10, 2017) - Today, U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt issued a Notice of Proposed Rulemaking (NPRM), proposing to repeal the so-called "Clean Power Plan (CPP)." After reviewing the CPP, EPA has proposed to determine that the Obama-era regulation exceeds the Agency's statutory authority. Repealing the CPP will also facilitate the development of U.S. energy resources and reduce unnecessary regulatory burdens associated with the development of those resources, in keeping with the principles established in President Trump's Executive Order on Energy Independence.

"The Obama administration pushed the bounds of their authority so far with the CPP that the Supreme Court issued a historic stay of the rule, preventing its devastating effects to be imposed on the American people while the rule is being challenged in court," said EPA Administrator Scott Pruitt. "We are committed to righting the wrongs of the Obama administration by cleaning the regulatory slate. Any replacement rule will be done carefully, properly, and with humility, by listening to all those affected by the rule."

## CPP Appears to be Inconsistent with the Clean Air Act

The CPP, issued by the Obama administration, was premised on a novel and expansive view of Agency authority that the Trump administration now proposes to determine is inconsistent with the Clean Air Act. In fact, the CPP was put on hold in February 2016, when the U.S. Supreme Court issued an unprecedented, historic stay of the rule.

"EPA will respect the limits of statutory authority. The CPP ignored states' concerns and eroded longstanding and important partnerships that are a necessary part of achieving positive environmental outcomes. We can now assess whether further regulatory action is warranted; and, if so, what is the most appropriate path forward, consistent with the Clean Air Act and principles of cooperative federalism," said Administrator Pruitt.

The CPP was issued pursuant to a novel and expansive view of authority under Section 111 of the Clean Air Act (CAA). The CPP required regulated entities to take actions "outside the fence line." Traditionally, EPA Section 111 rules were based on measures that could be applied to, for, and at a particular facility, also referred to as "inside the fence line" measures. Prior to the CPP being issued, every single Section 111 rule on the

books, including a handful of existing source rules and around 100 new-source rules, obeyed this limit. As the CPP departed from this traditional limit on EPA's authority under an "inside the fence line" interpretation, EPA is proposing to repeal it.

EPA has now sent the NPRM to the Federal Register for publication. Upon publication, the public will have 60 days to submit comments.

The repeal package includes:

- 1. The "preamble," which lays out the proposed legal interpretation, policy implications, and a summary of the cost-benefits analysis of the proposed repeal; and
- 2. The "Regulatory Impact Analysis (RIA)," an in-depth cost-benefit technical analysis.

## CPP Repeal Saves up to \$33 Billion in Avoided Costs in 2030

The proposed repeal both examines the Obama administration's cost-benefit analysis, as well as provides insights to support an updated analysis of the environmental, health, and economic effects of the proposed repeal. The Trump administration estimates the proposed repeal could provide up to \$33 billion in avoided compliance costs in 2030.

The previous administration's estimates and analysis of these costs and benefits was, in multiple areas, highly uncertain and/or controversial. Specific areas of controversy and/or uncertainty in the Obama administration's analysis of CPP include:

- Domestic versus global climate benefits: The previous administration compared U.S. costs to an estimate of supposed global benefits, and failed to follow well-established economic procedures in estimating those benefits.
- \* "Co-benefits" from non-greenhouse-gas pollutants: The Obama administration relied heavily on reductions in other pollutants emitted by power plants, essentially hiding the true net cost of the CPP by claiming benefits from reducing pollutants that had nothing to do with the rule's stated purpose.
- \* Energy cost and savings accounting: The Obama administration counted "energy efficiency" results of their rule as an avoided cost, resulting in a cost estimate being considerably lower than it would have been if they used the appropriate practice of considering these effects as benefits, rather than subtracting them from costs. Had the Obama administration used the Office of Management and Budget's longstanding requirements and accounted cost and

savings accordingly, it would have presented a more accurate accounting of the total cost of the CPP.

In this proposed repeal and its accompanying technical documents, this administration is, in a robust, open, and transparent way, presenting a wide range of analysis scenarios to the public.

As part of the notice-and-comment process for this proposed repeal, EPA will continue this analysis and inform the public, as necessary, to get feedback on new modeling and other information. The final action on this proposed repeal will address the results of this ongoing work.

Forthcoming is an Advanced Notice of Proposed Rulemaking (ANPRM) that will be reflective of a thoughtful and responsible approach to regulatory action grounded within the authority provided by the statute.

"With this action, the Trump administration is respecting states' role and reinstating transparency into how we protect our environment," said Administrator Pruitt.

# Background:

On March 28, President Trump signed an Executive Order on Energy Independence, establishing a national policy in favor of energy independence, economic growth, and the rule of law. The purpose of the Executive Order (EO) is to facilitate the development of U.S. energy resources and to reduce unnecessary regulatory burdens associated with the development of those resources. That same day, EPA Administrator Scott Pruitt signed four Federal Register notices in response to the EO, including a formal announcement of review of the Clean Power Plan. After substantial review, the Agency has proposed to determine that the Clean Power Plan (CPP) must be repealed.

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Harry Horton
@harry\_horton
+1 202 413 7961

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From: Pic, Jordan [pic.jordan@epa.gov]

**Sent**: 8/9/2019 4:09:56 PM

To: Abboud, Michael [abboud.michael@epa.gov]; McFaul, Jessica [mcfaul.jessica@epa.gov]; Carter, Brittany S.

[carter.brittanys@epa.gov]; Brazauskas, Joseph [brazauskas.joseph@epa.gov]

**Subject**: Fwd: EPA release on prescribed fires

We got WY

Sent from my iPhone

Begin forwarded message:

From: Nancy Vehr <<u>nancy.vehr1@wyo.gov</u>>
Date: August 9, 2019 at 12:05:14 PM EDT
To: "Pic, Jordan" <<u>pic.jordan@epa.gov</u>>

Cc: Todd Parfitt < todd.parfitt@wyo.gov >, Keith Guille < keith.guille@wyo.gov >, Beth Ross

< beth.callaway@wyo.gov >, Kristine Galloway < kristine.galloway@wyo.gov >

Subject: Re: EPA release on prescribed fires

Jordan,

Thank you for reaching out to Wyoming's Air Quality Division and emailing EPA's embargoed press release. The Division's quote is: "Communication of clear expectations and establishing effective streamlined processes fosters collaboration and provides a positive benefit to Wyoming's citizens, business, and environment. The Wyoming Department of Environmental Quality's Air Quality Division appreciates EPA's continued efforts working with co-regulators and other stakeholders to clarify and streamline the exceptional event demonstration process." Thanks,

-nancy v.

On Thu, Aug 8, 2019 at 5:22 PM Pic, Jordan < <u>pic.jordan@epa.gov</u>> wrote: Good evening,

Thank you for giving me a call earlier. Below is the draft release. **This is on embargo until further notice.** If you would like to provide a quote it would be appreciated.

Thank you,

Jordan Pic Special Advisor, Intergovernmental Affairs U.S. Environmental Protection Agency

## EPA Releases Additional Resource on Prescribed Fires to Support Air Agencies

**WASHINGTON** – Today, the U.S. Environmental Protection Agency (EPA) issued new guidance that will help air agencies and key federal partners show that air quality impacts from prescribed fire on wildlands should be excluded from some regulatory uses. The guidance, *Exceptional Events Guidance: Prescribed Fire on Wildland that May Influence Ozone and Particulate Matter Concentrations* ("the Prescribed Fire Guidance") will help streamline the demonstration development and review process.

Consistent with President Donald Trump's December 2018 Executive Order on Promoting Active Management of America's Forests, Rangelands, and other Federal Lands to Improve Conditions and Reduce Wildfire Risk, EPA supports the promotion of healthy and resilient forests, rangelands, and other federal lands by actively managing them through partnerships with states, tribes, communities, non-profit organizations, and the private sector. This active forest management includes the use of prescribed fires, and the Prescribed Fire Guidance supports active forest management within the framework of the 2016 Exceptional Events Rule.

In response to stakeholder feedback, the Prescribed Fire Guidance organizes and clarifies how to meet key provisions of the 2016 Exceptional Events Rule, including how to demonstrate that a prescribed fire caused the event-related exceedance(s) or violation(s), was not reasonably controllable or preventable, and is unlikely to recur at a particular location. The guidance also promotes collaboration between state, local, and tribal air agencies and land managers and describes what kinds of information may be helpful to include in a Smoke Management Program or Basic Smoke Management Practices.

Exceptional events are unusual or naturally occurring events (*e.g.*, wildfires, high-wind dust events) that can affect air quality and whose emissions are not reasonably controllable by air agencies. EPA finalized the 2016 Exceptional Events Rule to improve criteria and procedures for determining if air quality monitoring data has been influenced by exceptional events. The Prescribed Fire Guidance is part of EPA's broader effort to facilitate the 2016 Exceptional Events Rule implementation process. In support of these efforts, EPA has also released the following guidance documents and implementation resources:

- Final Guidance on the Preparation of Exceptional Events Demonstrations for Wildfire Events that May Influence Ozone Concentrations
- Guidance on the Preparation of Demonstrations in Support of Requests to Exclude Ambient Air Quality Data Influenced by High Wind Dust Events Under the 2016 Exceptional Events Rule
- Guidance on the Preparation of Exceptional Events Demonstrations for Stratospheric Ozone Intrusions
- 2016 Revisions to the Exceptional Events Rule: Update to Frequently Asked Questions
- Additional Methods, Determinations, and Analyses to Modify Air Quality Data Beyond Exceptional Events
- · 2007-to-2016 Exceptional Events Rule Crosswalk
- Best Practices for Preparation of Multi-Agency Exceptional Events Demonstrations
- Mitigation Plan Checklist

These and other resources can be found on EPA's exceptional events website at <a href="https://www.epa.gov/air-quality-analysis/treatment-air-quality-data-influenced-exceptional-events-homepage-exceptional">https://www.epa.gov/air-quality-analysis/treatment-air-quality-data-influenced-exceptional-events-homepage-exceptional</a>

# Background

Exceptional events are unusual or naturally occurring events that can affect air quality but are not reasonably controllable, and for which tribal, state or local air agencies may submit a demonstration to request exclusion of event-related air quality data from certain regulatory determinations to attain and maintain the National Ambient Air Quality Standards (NAAQS). Examples of the kinds of events that may qualify as exceptional events include high wind dust

events, wildfires, prescribed fires, stratospheric ozone intrusions, and volcanic and seismic activities.

Section 319(b) of the Clean Air Act (CAA) provides the statutory basis for excluding air quality data that have been influenced by exceptional events from certain types of regulatory determinations. Pursuant to Section 319(b), EPA promulgated the first Exceptional Events Rule on March 22, 2007. The rule set forth definitions and requirements for exceptional events, and requirements for air agencies to take appropriate and reasonable actions to protect public health from exceedances or violations of the NAAQS. As a result of our experiences related to implementing the 2007 Exceptional Events Rule, EPA developed and released Interim Exceptional Events Implementation Guidance documents in May 2013. The Interim Guidance also announced EPA's intent to pursue revisions to the 2007 Exceptional Events Rule, and EPA initiated stakeholder consultations to inform the process.

EPA revised the Exceptional Events Rule in 2016 with the aim of streamlining the demonstration process for air agencies while upholding the associated CAA principles for protecting public health. As part of this process EPA has eliminated the "backlog" of exceptional events demonstrations awaiting review. EPA continues to engage with stakeholders to seek feedback and ensure that the issues they raise about the Exceptional Events Rule are being addressed, and their experience developing exceptional event demonstrations is streamlined. EPA is also continuing to develop resources regarding the Exceptional Events Rule revisions and implementation process.

Sent from my iPhone

--

Nancy Vehr, Administrator Wyoming DEQ - Air Quality Division 200 W. 17th St., 3rd Floor Cheyenne, WY 82002 (307) 777-3746 nancy.vehr1@wyo.gov

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E-Mail to and from me, in connection with the transaction of public business, is subject to the Wyoming Public Records Act and may be disclosed to third parties.

From: Mutter, Andrew [mutter.andrew@epa.gov]

**Sent**: 7/3/2019 1:51:40 PM

**To**: Abboud, Michael [abboud.michael@epa.gov]

Subject: FW: EMBARGOED/CLOSE HOLD - Final statement Interim Water Treatment Plant closure data release

Attachments: Final statement Interim Water Treatment Plant closure data release.docx; ATT00001.htm

Best regards,

Andrew

#### **Andrew Mutter**

Director, Public Affairs

U.S. Environmental Protection Agency, Region 8 (Denver, CO)

Office: 303.312.6448
Cell: Ex. 6 Personal Privacy (PP)

Twitter: @EPARegion8 Facebook: U.S. EPA Region 8

Webpage: EPA Region 8 (Mountains and Plains)

From: Peterson, Cynthia

Sent: Wednesday, July 3, 2019 7:47 AM

To: Mutter, Andrew <mutter.andrew@epa.gov>

Subject: FW: EMBARGOED/CLOSE HOLD - Final statement Interim Water Treatment Plant closure data release

Final statement including data.

Cynthia Peterson
Community Involvement Coordinator
Public Affairs and Community Involvement
U.S. Environmental Protection Agency, Region 8
1595 Wynkoop St. (8ORA-PA-CI)
Denver, CO 80202-1129
303-312-6879 -- direct dial

Ex. 6 Personal Privacy (PP) -- Cell

From: Mylott, Richard

Sent: Monday, March 25, 2019 11:43 AM

**To:** Todd, Andrew < Todd. Andrew@epa.gov >; Smidinger, Betsy < Smidinger. Betsy@epa.gov >; Stavnes, Sandra < Stavnes. Sandra@epa.gov >; Wall, Dan < wall.dan@epa.gov >; Peterson, Cynthia < Peterson.Cynthia@epa.gov >;

Benevento, Douglas < benevento.douglas@epa.gov >; Guy, Kerry < Guy.Kerry@epa.gov >

Subject: Fwd: EMBARGOED/CLOSE HOLD - Final statement Interim Water Treatment Plant closure data release

Another addition from NMED. I don't think this is framed apparently but will defer to you all.

### Sent from my iPhone

#### Begin forwarded message:

From: "Hayden, Maddy, NMENV" < Maddy. Hayden@state.nm.us>

Date: March 25, 2019 at 11:38:26 AM MDT

To: "Mylott, Richard" < Mylott. Richard@epa.gov>

Subject: FW: EMBARGOED/CLOSE HOLD - Final statement Interim Water Treatment Plant closure data

release

Rich,

I greatly apologize. Please see final version of edited news release.

Just added language to this sentence: "From that point downstream, heavy metal concentrations in the Animas River were either not detectable or were well within numerical standards established for drinking water, irrigation and livestock watering."

Maddy Hayden Public Information Officer New Mexico Environment Department

Office: (505)827-0314
Cell: Ex. 6 Personal Privacy (PP)

Email: maddy.hayden@state.nm.us
Twitter: @NMEnvDep | #lamNMED

From: Kramer, Jessica L. [kramer.jessical@epa.gov]

**Sent**: 8/8/2019 4:32:16 PM

To: Abboud, Michael [abboud.michael@epa.gov]
CC: Woods, Andrea [Woods.Andrea@epa.gov]

**Subject**: RE: DRAFT: Attached Q&A; DELIBERATIVE; DO NOT RELEASE

Attachments: Update Q-A CLOSE HOLD 401.docx

See the new #3. I can certainly see this being a question that is asked.

Jessica L. Kramer Policy Counsel to the Assistant Administrator Office of Water (202) 564-6322

From: Abboud, Michael <abboud.michael@epa.gov>

Sent: Thursday, August 8, 2019 11:15 AM

**To:** Kramer, Jessica L. <kramer.jessical@epa.gov> **Cc:** Woods, Andrea <Woods.Andrea@epa.gov>

Subject: DRAFT: Attached Q&A

**DRAFT** 

# Michael Abboud

U.S. Environmental Protection Agency Office of Public Affairs

M: Ex. 6 Personal Privacy (PP)

From: Ebbs, Stephanie [Stephanie.Ebbs@abc.com]

**Sent**: 12/7/2018 7:32:32 PM

To: Abboud, Michael [abboud.michael@epa.gov]

**Subject**: Re: can you talk in a bit?

And crew names are Danny O'Shea and Brian Yaklyvich

Stephanie Ebbs
ABC News-Washington
(office)202-222-7271
(cell) Ex. 6 Personal Privacy (PP)
@stephebbs

From: Ebbs, Stephanie

Sent: Friday, December 7, 2018 12:02:19 PM

To: Abboud, Michael

Subject: Re: can you talk in a bit?

Devin Dwyer

Stephanie Ebbs ABC News- Washington 202-875-4377

From: Abboud, Michael <abboud.michael@epa.gov>

Sent: Friday, December 7, 2018 12:01:23 PM

To: Ebbs, Stephanie

Subject: Re: can you talk in a bit?

Walk and talk will be fine. Who will be the interviewer?

Sent from my iPhone

On Dec 7, 2018, at 8:35 AM, Ebbs, Stephanie < Stephanie Ebbs@abc.com > wrote:

Ok, I think we can work with that. Is he doing any other interviews Tuesday? I'm talking to them about timing for airing the interview on our live channel and they want to know if anyone else will have it if they re-air it in the afternoon

Stephanie Ebbs
ABC News-Washington
(office)202-222-7271
(cell) [Ex. 6 Personal Privacy (PP)]
@stephebbs

From: Abboud, Michael <abboud.michael@epa.gov>

Sent: Thursday, December 6, 2018 5:38:12 PM

To: Ebbs, Stephanie

Subject: Re: can you talk in a bit?

Seife v. EPA (1:19-cv-05190)

9.1.2020

ED\_003047\_00080765-00001

Realistically it'd be 12:01 am Tuesday, so whenever you guys want to run it that morning. We just can't have it go the night before.

Sent from my iPhone

On Dec 6, 2018, at 4:40 PM, Ebbs, Stephanie < Stephanie Ebbs@abc.com > wrote:

Sorry I was on another call. What time on Tuesday morning?

Stephanie Ebbs
ABC News-Washington
(office)202-222-7271
(cell) [Ex. 6 Personal Privacy (PP)]
@stephebbs

From: Abboud, Michael <abboud.michael@epa.gov> Sent: Thursday, December 6, 2018 3:38:42 PM

To: Ebbs, Stephanie

Subject: RE: can you talk in a bit?

Hey sorry for the delay, we were caught up with the 111b event. Just tried you on your cell. The event on Tuesday rolling out the replacement won't be until later in the morning closer to noon, so we would prefer to hold the embargo until the morning of the  $11^{th}$ . You guys will still be the first television outlet to break it.

From: Ebbs, Stephanie < Stephanie. Ebbs@abc.com > Sent: Thursday, December 6, 2018 11:09 AM To: Abboud, Michael <a href="mailto:Abboud.michael@epa.gov">Abboud.michael@epa.gov</a>

**Subject:** Re: can you talk in a bit?

Do you have a specific time for when the interview would be off embargo? Would 5pm work?

I'm talking with our ABC News Live folks and they're very interested, they might want one of our on air reporters Devin Dwyer to do the interview while I produce. I think they might even build it out into a bigger story if he does it

Stephanie Ebbs
ABC News-Washington
(office)202-222-7271
(cell) [Ex. 6 Personal Privacy (PP)]
@stephebbs

From: Abboud, Michael <abboud.michael@epa.gov>
Sent: Thursday, December 6, 2018 9:43:03 AM

To: Ebbs, Stephanie

Subject: RE: can you talk in a bit?

Yes.

From: Ebbs, Stephanie < Stephanie. Ebbs@abc.com >

Sent: Thursday, December 6, 2018 9:35 AM

To: Abboud, Michael <abboud.michael@epa.gov>

Subject: Re: can you talk in a bit?

Sure, can I call you in like 10 min?

Stephanie Ebbs ABC News- Washington 202-875-4377

From: Abboud, Michael <abboud.michael@epa.gov>

Sent: Thursday, December 6, 2018 09:28

To: Ebbs, Stephanie

Subject: can you talk in a bit?

# Michael Abboud

U.S. Environmental Protection Agency
Office of Public Affairs
M: Ex. 6 Personal Privacy (PP)

From: Friedman, Lisa [lisa.friedman@nytimes.com]

**Sent**: 7/15/2019 3:19:46 PM

To: Abboud, Michael [abboud.michael@epa.gov]
Subject: Re: GAO report on science advisory boards

thumbs up emoji

On Mon, Jul 15, 2019 at 11:16 AM Abboud, Michael <a href="mailto:abboud.michael@epa.gov">abboud.michael@epa.gov</a>> wrote:

Gotcha, we should have something very soon just waiting on the lawyers per usual.

**From:** Friedman, Lisa < lisa.friedman@nytimes.com >

**Sent:** Monday, July 15, 2019 11:14 AM

**To:** Abboud, Michael <a href="mailto:abboud.michael@epa.gov">abboud.michael@epa.gov</a> > **Subject:** Re: GAO report on science advisory boards

Yes - but my deadline is earlier, story needs to be edited and all that. If you need more time though just let me know, we will stick it in as soon as you have it

On Mon, Jul 15, 2019 at 11:04 AM Abboud, Michael <abboud.michael@epa.gov> wrote:

We will have something shortly. Thought the embargo was until 1:30?

From: Friedman, Lisa <a href="mailto:sisa.friedman@nytimes.com">sisa.friedman@nytimes.com</a>

Sent: Monday, July 15, 2019 10:54 AM

**To:** Press < <u>Press@epa.gov</u>>

Subject: GAO report on science advisory boards

Hi John, all - This GAO report is coming out this afternoon saying that EPA ignored ethics guidelines when it overhauled the scientific advisory boards. I see EPA already responded to GAO in the body of the report but I was wondering if you have any further comment you'd like to send? My deadline is 12:30 - so sorry for the short turnaround.

Lisa

...

Lisa Friedman

Reporter, New York Times

(202) 862-0306 office

Ex. 6 Personal Privacy (PP) cell

Lisa Friedman

Reporter, New York Times

(202) 862-0306 office

Ex. 6 Personal Privacy (PP)

Lisa Friedman Reporter, New York Times (202) 862-0306 office Ex. 6 Personal Privacy (PP) Cell

From: Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]

**Sent**: 8/28/2019 7:50:40 PM

**To**: Daniel Savickas [dsavickas@freedomworks.org]

Subject: Embargoed until 11:00 tomorrow

Attachments: FINAL OG Policy Package Proposed Amendments. FS. V6.docx

Please keep a close hold on this.

# Michael Abboud

U.S. Environmental Protection Agency
Office of Public Affairs
M: Ex. 6 Personal Privacy (PP)

From: Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]

**Sent**: 8/26/2019 8:49:17 PM

To: Konkus, John [john.konkus@aecom.com]; Jackson, Ryan [jackson.ryan@epa.gov]

Subject: RE: Ruth Etzel

Thanks, just sent this around as well.

From: Konkus, John < john.konkus@aecom.com>

Sent: Monday, August 26, 2019 4:39 PM

To: Abboud, Michael <abboud.michael@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>

Subject: FW: Ruth Etzel

See below...

From: Kevin Bogardus < kbogardus@eenews.net >

Sent: Monday, August 26, 2019 4:26 PM
To: Konkus, John <john.konkus@aecom.com>

Subject: Ruth Etzel

John,

Hi, it's Kevin Bogardus with E&E News.

Myself and my colleague Ariel Wittenberg are working on a story about Ruth Etzel, the former director of EPA's Office of Children's Health Protection. In our story, we are linking to and quoting from EPA emails and personnel records that I obtained under the Freedom of Information Act (please see attached). I had a few questions about this, which are:

- We will quote emails from you and EPA Chief of Staff Ryan Jackson discussing press strategy in response to Etzel being put on leave, such as "opportunity to strike" and "press pushing back on her" (please see 3 Records Resonsive\_OCHP FOIAs\_7.19.2019\_, 555 Records Resonsive\_OCHP FOIAs\_7.19.2019\_ and 556 Records Resonsive\_OCHP FOIAs\_7.19.2019\_). Do you have any additional comment?
- We will say that you received a list of EPA children's health-related grants (please see 594-598 Records Resonsive\_OCHP FOIAs\_7.19.2019\_). Why were you reviewing such grants? I ask because your grants review was rescinded in May 2018, according to this email (https://www.eenews.net/assets/2018/06/18/document\_gw\_19.pdf).

For your information, I have also emailed EPA press officials these questions and others for our story. That said, since we quote you from some of the emails, I wanted to give you a heads up about the story and see if you wanted to add any comment in response to these questions.

If you do wish to comment, please get back to me as soon as possible. My deadline is close of business Wednesday, Aug. 28, but the sooner you get back to me, the more it helps my reporting. Thank you for your help.

#### **Kevin Bogardus**

E&E News Reporter kbogardus@eenews.net 202-446-0401 (p)

Follow me @KevinBogardus

# **E&E News**

122 C Street, NW, Suite 722, Washington, DC 20001

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From: Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]

**Sent**: 8/26/2019 8:48:58 PM

To: Jackson, Ryan [jackson.ryan@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Andrea Woods

[woods.andrea@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]; McFaul, Jessica

[mcfaul.jessica@epa.gov]; Schiermeyer, Corry [schiermeyer.corry@epa.gov]

Subject: FW: Ruth Etze

Attachments: Page 2 R Etzel complete eOPF\_Redacted.pdf; Page 5 R Etzel complete eOPF\_Redacted.pdf; 834-835 Records

Resonsive\_OCHP FOIAs\_7.19.2019\_.pdf; 840 Records Resonsive\_OCHP FOIAs\_7.19.2019.pdf; 702 Records Resonsive\_OCHP FOIAs\_7.19.2019.pdf; 3 Records Resonsive\_OCHP FOIAs\_7.19.2019.pdf; 555 Records Resonsive\_OCHP FOIAs\_7.19.2019.pdf; 556 Records

Resonsive\_OCHP FOIAs\_7.19.2019.pdf; 594-598 Records Resonsive\_OCHP FOIAs\_7.19.2019.pdf; 334-335 Records Resonsive\_OCHP FOIAs\_7.19.2019.pdf; Foias\_7.19.2019.pdf; Seconds Resonsive\_OCHP FOIAs\_7.19.2019.pdf; Page 4 R Etzel complete

eOPF Redacted.pdf

E&E got some FOIA'd docs on Ruth Etzel. There is a lot here.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

DRAFT:

Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

From: Kevin Bogardus < kbogardus@eenews.net>

Sent: Monday, August 26, 2019 4:13 PM

To: Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; McFaul, Jessica

<mcfaul.jessica@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Woods, Andrea

<Woods.Andrea@epa.gov>; Press <Press@epa.gov>

Cc: awittenberg@eenews.net

Subject: Ruth Etzel

Hey everyone,

It's Kevin Bogardus with E&E News.

Myself and my colleague Ariel Wittenberg (who is CCed on this email) are working on a story about Ruth Etzel, the former director of EPA's Office of Children's Health Protection. In our story, we are linking to and quoting from EPA emails and personnel records that I obtained under the Freedom of Information Act (please see attached). I had a few questions about this, which are:

- Etzel was given a pay raise in January 2018 (please see Page 5 R Etzel complete eOPF\_Redacted) and a cash award in August 2018 (please see Page 2 R Etzel complete eOPF\_Redacted), about a month before she was put on leave. Why did Etzel get a pay raise and a cash award when there were allegations about her leadership of OCHP?
- We will say that Etzel was told she was not ready to brief EPA leadership on the federal lead strategy about three weeks before she was put on leave (please see 834-835 Records Resonsive\_OCHP FOIAs\_7.19.2019\_). Do you have any additional comment?
- We will say that Etzel said she was going to finish the federal lead strategy in June 2018 (please see 840 Records Resonsive\_OCHP FOIAs\_7.19.2019\_). Why was it delayed?

- We will say that OCHP had a 360 leadership assessment that raised "several concerns" (please see 702 Records Resonsive\_OCHP FOIAs\_7.19.2019\_). What were those concerns?
- We will say that EPA Chief of Staff Ryan Jackson questioned why the American Academy of Pediatrics wasn't familiar with OCHP (please see 616 Records Resonsive\_OCHP FOIAs\_7.19.2019\_). Do you have any additional comment?
- We will quote emails from John Konkus and Jackson discussing press strategy in response to Etzel being put on leave, such as "opportunity to strike" and "press pushing back on her" (please see 3 Records Resonsive\_OCHP FOIAs\_7.19.2019\_, 555 Records Resonsive\_OCHP FOIAs\_7.19.2019\_ and 556 Records Resonsive\_OCHP FOIAs\_7.19.2019\_). Do you have any additional comment?
- We will say that Konkus received a list of EPA children's health-related grants (please see 594-598 Records Resonsive\_OCHP FOIAs\_7.19.2019\_). Why was Konkus reviewing such grants? I ask because his grants review was rescinded in May 2018, according to this email (https://www.eenews.net/assets/2018/06/18/document\_gw\_19.pdf).
- We will quote emails from OCHP officials saying they were not consulted on the children's health booklet (please see 334-335 Records Resonsive\_OCHP FOIAs\_7.19.2019\_). Why weren't OCHP officials consulted on this booklet?
- We will say Veronica Darwin gathered materials on children's health for the booklet (please see 565 Records Resonsive\_OCHP FOIAs\_7.19.2019\_). Do you have any additional comment?
- We will say that Etzel returned to EPA in March 2019 and was reassigned to "unclassified duties" in the Office of Water's Office of Science and Technology (please see Page 4 R Etzel complete eOPF\_Redacted). Do you have any additional comment?

Please get back to me as soon as possible. My deadline is close of business Wednesday, Aug. 28, but the sooner you get back to me, the more it helps my reporting. Thank you for your help.

## **Kevin Bogardus**

**E&E News Reporter** 

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From: Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]

**Sent**: 10/10/2017 5:58:42 PM

To: Harry Horton [hortonh@featurestory.com]

Subject: RE: FW: EPA Proposes Repeal Of Clean Power Plan

Off the record, this is the photo is the only thing to expect. No media event for this.

From: Harry Horton [mailto:hortonh@featurestory.com]

Sent: Tuesday, October 10, 2017 1:41 PM

To: Abboud, Michael <abboud.michael@epa.gov>

Subject: Re: FW: EPA Proposes Repeal Of Clean Power Plan

Many thanks.

Just to confirm - is Adm Pruitt scheduled to appear on camera at all today, or is the still photo all I should expect in terms of media?

Thanks,

Harry

On Tue, Oct 10, 2017 at 12:57 PM, Abboud, Michael <a href="mailto:abboud.michael@epa.gov">abboud.michael@epa.gov</a>> wrote:

Hey Harry, wanted to make sure you saw this.

CONTACT: press@epa.gov

# EPA Takes Another Step To Advance President Trump's America First Strategy, Proposes Repeal Of "Clean Power Plan"

WASHINGTON (October 10, 2017) - Today, U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt issued a Notice of Proposed Rulemaking (NPRM), proposing to repeal the so-called "Clean Power Plan (CPP)." After reviewing the CPP, EPA has proposed to determine that the Obama-era regulation exceeds the Agency's statutory authority. Repealing the CPP will also facilitate the development of U.S. energy resources and reduce unnecessary regulatory burdens associated with the development of those resources, in keeping with the principles established in President Trump's Executive Order on Energy Independence.

"The Obama administration pushed the bounds of their authority so far with the CPP that the Supreme Court issued a historic stay of the rule, preventing its devastating effects to be imposed on the American people while the rule is being challenged in court," said EPA Administrator Scott Pruitt. "We are committed to righting the wrongs of the Obama administration by cleaning the regulatory slate. Any replacement rule will be done carefully, properly, and with humility, by listening to all those affected by the rule."

# CPP Appears to be Inconsistent with the Clean Air Act

The CPP, issued by the Obama administration, was premised on a novel and expansive view of Agency authority that the Trump administration now proposes to determine is inconsistent with the Clean Air Act. In fact, the CPP was put on hold in February 2016, when the U.S. Supreme Court issued an unprecedented, historic stay of the rule.

"EPA will respect the limits of statutory authority. The CPP ignored states' concerns and eroded longstanding and important partnerships that are a necessary part of achieving positive environmental outcomes. We can now assess whether further regulatory action is warranted; and, if so, what is the most appropriate path forward, consistent with the Clean Air Act and principles of cooperative federalism," said Administrator Pruitt.

The CPP was issued pursuant to a novel and expansive view of authority under Section 111 of the Clean Air Act (CAA). The CPP required regulated entities to take actions "outside the fence line." Traditionally, EPA Section 111 rules were based on measures that could be applied to, for, and at a particular facility, also referred to as "inside the fence line" measures. Prior to the CPP being issued, every single Section 111 rule on the books, including a handful of existing source rules and around 100 new-source rules, obeyed this limit. As the CPP departed from this traditional limit on EPA's authority under an "inside the fence line" interpretation, EPA is proposing to repeal it.

EPA has now sent the NPRM to the Federal Register for publication. Upon publication, the public will have 60 days to submit comments.

The repeal package includes:

1. The "preamble," which lays out the proposed legal interpretation, policy implications, and a summary of the cost-benefits analysis of the proposed repeal; and

2. The "Regulatory Impact Analysis (RIA)," an in-depth cost-benefit technical analysis.

## CPP Repeal Saves up to \$33 Billion in Avoided Costs in 2030

The proposed repeal both examines the Obama administration's cost-benefit analysis, as well as provides insights to support an updated analysis of the environmental, health, and economic effects of the proposed repeal. The Trump administration estimates the proposed repeal could provide up to \$33 billion in avoided compliance costs in 2030.

The previous administration's estimates and analysis of these costs and benefits was, in multiple areas, highly uncertain and/or controversial. Specific areas of controversy and/or uncertainty in the Obama administration's analysis of CPP include:

- Domestic versus global climate benefits: The previous administration compared U.S. costs to an estimate of supposed global benefits, and failed to follow well-established economic procedures in estimating those benefits.
- \* "Co-benefits" from non-greenhouse-gas pollutants: The Obama administration relied heavily on reductions in other pollutants emitted by power plants, essentially hiding the true net cost of the CPP by claiming benefits from reducing pollutants that had nothing to do with the rule's stated purpose.
- \* Energy cost and savings accounting: The Obama administration counted "energy efficiency" results of their rule as an avoided cost, resulting in a cost estimate being considerably lower than it would have been if they used the appropriate practice of considering these effects as benefits, rather than subtracting them from costs. Had the Obama administration used the Office of Management and Budget's longstanding requirements and accounted cost and savings accordingly, it would have presented a more accurate accounting of the total cost of the CPP.

In this proposed repeal and its accompanying technical documents, this administration is, in a robust, open, and transparent way, presenting a wide range of analysis scenarios to the public.

As part of the notice-and-comment process for this proposed repeal, EPA will continue this analysis and inform the public, as necessary, to get feedback on new modeling and other information. The final action on this proposed repeal will address the results of this ongoing work.

Forthcoming is an Advanced Notice of Proposed Rulemaking (ANPRM) that will be reflective of a thoughtful and responsible approach to regulatory action grounded within the authority provided by the statute.

"With this action, the Trump administration is respecting states' role and reinstating transparency into how we protect our environment," said Administrator Pruitt.

# Background:

On March 28, President Trump signed an Executive Order on Energy Independence, establishing a national policy in favor of energy independence, economic growth, and the rule of law. The purpose of the Executive Order (EO) is to facilitate the development of U.S. energy resources and to reduce unnecessary regulatory burdens associated with the development of those resources. That same day, EPA Administrator Scott Pruitt signed four Federal Register notices in response to the EO, including a formal announcement of review of the Clean Power Plan. After substantial review, the Agency has proposed to determine that the Clean Power Plan (CPP) must be repealed.

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U.S. Environmental Protection Agency 1200 Pennsylvania Avenue Northwest Washington, D.C. 20004

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| Harry I                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Horton                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |          |               |
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From: Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]

**Sent**: 7/8/2019 4:37:07 PM

To: Brazauskas, Joseph [brazauskas.joseph@epa.gov]; Voyles, Travis [Voyles.Travis@epa.gov]; Carter, Brittany S.

[carter.brittanys@epa.gov]; Rodrick, Christian [rodrick.christian@epa.gov]; Frye, Tony (Robert)

[frye.robert@epa.gov]

Subject: RE: EPA Accomplishments Fact Sheet EMBARGOED until 3:30PM

Embargo changed to 1:30.

From: Brazauskas, Joseph

**Sent:** Monday, July 8, 2019 12:34 PM

To: Abboud, Michael <abboud.michael@epa.gov>; Voyles, Travis <Voyles.Travis@epa.gov>; Carter, Brittany S.

<carter.brittanys@epa.gov>; Rodrick, Christian <rodrick.christian@epa.gov>; Frye, Tony (Robert) <frye.robert@epa.gov>

Subject: RE: EPA Accomplishments Fact Sheet EMBARGOED until 3:30PM

Lets make sure we get this moving out there this afternoon thank you

### Joseph A. Brazauskas

Acting Associate Administrator
Office of Congressional & Intergovernmental Relations
U.S. Environmental Protection Agency
(202) 564-5189

From: Abboud, Michael

Sent: Monday, July 8, 2019 11:27 AM

To: Brazauskas, Joseph < <a href="mailto:brazauskas.joseph@epa.gov">brazauskas.joseph@epa.gov">brazauskas.joseph@epa.gov</a>; Voyles, Travis <a href="mailto:Voyles.Travis@epa.gov">Voyles.Travis@epa.gov</a>; Carter, Brittany S. <a href="mailto:carter.brittanys@epa.gov">carter.brittanys@epa.gov</a>; Rodrick, Christian <a href="mailto:carter.brittanys@epa.gov">rodrick.christian@epa.gov</a>; Frye, Tony (Robert) <a href="mailto:frye.robert@epa.gov">frye.robert@epa.gov</a>>

Subject: RE: EPA Accomplishments Fact Sheet EMBARGOED until 3:30PM

Tony can you also include points about Peter in your email blast? Just talked with RJ.

From: Abboud, Michael

**Sent:** Monday, July 8, 2019 11:19 AM

**To:** Brazauskas, Joseph <a href="mailto:brazauskas.joseph@epa.gov">brazauskas.joseph@epa.gov</a>; Voyles, Travis <a href="mailto:Voyles.Travis@epa.gov">Voyles.Travis@epa.gov</a>; Carter, Brittany S. <a href="mailto:carter.brittanys@epa.gov">carter.brittanys@epa.gov</a>; Rodrick, Christian <a href="mailto:carter.brittanys@epa.gov">carter.brittanys@epa.gov</a>; Frye, Tony (Robert) <a href="mailto:frye.robert@epa.gov">frye.robert@epa.gov</a>)

Subject: FW: EPA Accomplishments Fact Sheet EMBARGOED until 3:30PM

This is what I sent.

From: Abboud, Michael

Sent: Monday, July 8, 2019 11:07 AM

To: stephen.bell@nreca.coop

Subject: EPA Accomplishments Fact Sheet EMBARGOED until 3:30PM

Please see the below for EPA's accomplishments in advance of the President's speech on environmental leadership today. The below is embargoed until 3:30PM.

# America is – and will remain— the gold standard for

# environmental protection

Every American should know that our nation is cleaner, safer, and stronger today thanks to the leadership of President Trump. Today, we have the cleanest air on record, and we are a global leader for access to clean drinking water. – EPA Administrator Andrew Wheeler

# Air:

We are helping areas across the nation reduce air pollution and meet the nation's air quality standards. By doing so, many regions across the country are moving from non-attainment to attainment. This is allowing Americans to breathe easier and breathing new life into the local economy by alleviating a major regulatory burden. — EPA Administrator Andrew Wheeler

- The U.S. is a global leader in clean air progress, including for traditional "criteria" pollutants like particulate matter or ground-level ozone.
- o From 1970 to 2018, the combined emissions of the six criteria pollutants dropped by 74%, while the U.S. economy grew by 275%, Americans drove more miles and population and energy use increased.
  - Between 1990 and 2018, average concentrations of harmful air pollutants decreased considerably across our nation:
    - Ground-level ozone fell 21%
    - Sulfur dioxide (SO2) fell 89%
    - Nitrogen dioxide fell 57%
    - Carbon monoxide fell 74%
  - Between 2000 and 2018, fine particulate matter fell 39%
  - Between 2010 and 2018, lead emissions fell 82%
- o Emissions of all criteria pollutants dropped between 2016 and 2018.
  - In fact, <u>lead and sulfur dioxide during this time frame dropped by double digits</u> (lead concentrations are down over 12% and SO2 is down by 22%).
- By EPA's measures, pollutants and greenhouse gas (GHG) emissions in America are continuing to trend downward regardless of year to year variations. Minor year-to-year increases in GHG emissions or Air Quality Index "unhealthy" days are the result of meteorological conditions and wildfires.
- Since 2007, releases of Toxics Release Inventory (TRI) chemicals in the U.S. manufacturing sector have declined while the economy has grown. Industrial facilities have reduced releases of TRI chemicals by taking action to prevent pollution.
- In 2017, air releases of chemicals declined by <u>11 million pounds</u>, driven by reductions in air releases at chemical manufacturing facilities.
- Since 2007, air releases of chemicals have <u>decreased by 57%.</u>
- According to the World Health Organization, the U.S. has some of the lowest fine particulate matter levels in the world.
- O U.S. fine particulate matter levels are <u>six times below the global average</u>, <u>seven times below Chinese levels</u>, and well below France, Germany, Mexico, and Russia.
- Much of this progress has taken places in low-income counties across the country.
- o Based on the most recent monitoring data, more than <u>80% of low-income counties were in attainment</u> with EPA's National Ambient Air Quality Standards (NAAQS), compared to 43% in 2008.
- Additionally, here in the U.S., our energy is produced in ways consistent with environmental progress, leading to better air quality in energy-producing regions. We are a world leader in production of coal, oil and gas, and we export fuels and next generation technology to countries across the world.

- o From 2005 to 2017, total U.S. energy-related CO2 emissions fell by 14%, while the U.S. became the number one energy producer in the world.
- o In contrast, global energy-related CO2 emissions increased by over 20% over that same time period.
- o Since 1990, U.S. natural gas production has roughly doubled, while methane emissions from natural gas production fell by over 16%.
- o From 1990 to 2018, annual emissions of sulfur dioxide (SO2) from coal-fired power plants fell by over 90% while emissions of (nitrogen oxides) NOx fell by over 80%.
- Over past decade, mercury emissions from power plants have decreased by nearly 90%.
- o In 2018 alone, emissions of SO2 from power plants fell by 6% compared to 2017, while emissions of NOx fell by 4%.

# Water:

We're helping communities across the nation modernize outdated infrastructure and improve water quality. In doing so, we are providing more and more communities access to clean, safe drinking water, and modernizing waste water management. — EPA Administrator Andrew Wheeler

- In the early 1970s, more than 40% of our nation's drinking water systems failed to meet even the most basic health standards. Today, 93% of community water systems meet all health-based standards, all the time. Much of this progress is due to the EPA's partnership with state and local communities.
- Since 2017, EPA has approved eight WIFIA loans totaling nearly \$2 billion to help finance over \$4 billion in water infrastructure projects and create up to 6,000 jobs.
- In addition to the WIFIA loans already closed, EPA has pending loans of approximately \$5.5 billion to help finance nearly \$11 billion in water infrastructure investments and create 172,000 jobs.
- Throughout the history of EPA's State Revolving Funds (SRFs) program, more than \$170 billion in financial assistance has been provided to over 39,900 water quality infrastructure projects and 14,500 drinking water projects across the country.
- Since 2017, 109 waterbodies have been fully or partially restored thanks to strong state, tribal, and territorial partnerships built through the EPA's Clean Water Act Section 319 Program. The Program works to address pollution from non-point sources including urban stormwater runoff and agricultural activities.
- Since 2017, EPA and its state partners awarded nearly \$20 billion dollars for more than 4,500 clean water projects under the clean water and drinking water SRFs.

# Land:

Pollution is on the decline. Our focus is to accelerate its decline, particularly in the most at risk communities. These are the communities most likely to live near hazardous sites or suffer from outdated infrastructure. These are the Americans that deserve our full and immediate attention. That is the lens through which President Trump shaped his agenda. And that is what we are accomplishing. — EPA Administrator Andrew Wheeler

• Across the country, there are hundreds of sites where land has languished for decades and left toxic contamination seeping into land and water. Unlike past administrations, we will not abandon these areas or surrounding communities – we're expediting clean-up and getting them back to productive use.

- This Administration has prioritized cleaning up contaminated land through EPA's Superfund Task Force. Over the past two years, this focus on expediting remediation and promoting revitalization of sites across the country.
  - o Through EPA's Superfund program, EPA deleted all or part of <u>22 sites</u> from the National Priorities List (NPL) in FY 2018, the largest number of deletions in one year since FY 2005.
  - o EPA is on track to delete even more Superfund sites from the NPL in FY 2019.
  - EPA has also utilized the Administrator's Emphasis List to ensure timely, critical progress at over a dozen sites.
  - Accelerating cleanups at Superfund sites will directly improve the lives of those who reside near these sites often low-income and minority Americans.
- Throughout the history of EPA's Brownfields program, which aims to clean up and sustainably reuse contaminated properties, local communities have been able to use grants to leverage 150,120 jobs and more than \$28 billion of public and private funding.
  - A study of Brownfields sites found that property values of homes near revitalized Brownfields sites increased.
  - o Earlier this year, EPA awarded over <u>\$64 million</u> in new investments to <u>149 communities</u> across the U.S. through the Brownfields program.
    - 108 of the selected communities have identified sites or targeted areas in census tracts designated as Opportunity Zones.
  - o In June 2019, EPA announced \$9.3 million in supplemental funding for 24 current successful Brownfields grantees. Out of those 24 grantees, 17 have Opportunity Zones located in their jurisdiction, accounting for \$6.7 million in grant money.

# **Enforcement:**

We use our federal enforcement and compliance assurance resources to help reduce Clean Air Act nonattainment, water quality impairment, to promote cleanups, and to protect vulnerable populations—instead of weaponizing our enforcement program to shut down coal plants or curtail energy extraction. We focus our enforcement priorities on public health and the environment.—EPA Administrator Andrew Wheeler

- We are protection air quality by focusing on halting the sale of devices designed to defeat required vehicle
  emissions controls and will continue to be vigilant to prevent vehicle manufacturers from designing ways to
  cheat the controls on new vehicles.
  - We stopped the sale of over <u>1 million aftermarket defeat devices</u>, including the September 2018 settlement with Derive Systems addressing the sale of over 360,000 aftermarket defeat devices. This is now an enforcement priority.
  - o In FY 2018 we also prevented the <u>illegal importation of 2,200 vehicles</u> and engines that don't meet our emission standards.
- We are ensuring clean and safe water by focusing on reducing the number of wastewater systems that are in significant noncompliance with their permits and the number of drinking water systems with health-based violations.
- We are protecting vulnerable communities by focusing on hazardous waste treatment facilities to ensure they are not emitting dangerous pollutants and on those facilities that use extremely hazardous substances to ensure proper management.
- In FY 2018, we increased our efforts to reduce exposure to lead through 140 federal enforcement actions. These include criminal cases.